1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Final Document

Part II

Documents issued at the Conference

New York, 1995

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NOTE

The Final Document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons consists of three parts:

I. Organization and Work of the Conference (NPT/CONF.1995/32 (Part I))

II. Documents issued at the Conference (NPT/CONF.1995/32 (Part II))

III. Summary Records and Verbatim Records (NPT/CONF.1995/32 (Part III))

PART II

DOCUMENTS ISSUED AT THE CONFERENCE

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1/ Documents NPT/CONF.1995/2-11 were circulated as background documents of the Conference and are not reproduced here.

List of documents

Symbol	Title or description
NPT/CONF.1995/1	Final report of the Preparatory Committee for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/2	Developments since the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons towards the realization of the purposes of the tenth preambular paragraph of the Treaty
NPT/CONF.1995/3	Implementation of articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/4	Developments since the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons relating to article VI of the Treaty
NPT/CONF.1995/5 and Corr.1	Implementation of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/6	Developments with regard to effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons
NPT/CONF.1995/7/Part I	Activities of the International Atomic Energy Agency relevant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/7/Part II	Other activities relevant to article III
NPT/CONF.1995/8	Activities of the International Atomic Energy Agency relevant to article IV of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/9	Activities of the International Atomic Energy Agency relevant to article V of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/10 and Add.1	Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/11	South Pacific Nuclear-Free-Zone Treaty
NPT/CONF.1995/12	Letter dated 21 March 1995 from the Permanent Representative of the Democratic People's Republic of Korea addressed to the provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/13	Letter dated 23 March 1995 from the Permanent Representative of Hungary addressed to the provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/14	Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/15	Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/16	Note verbale dated 29 March 1995 from the Permanent Mission of Benin addressed to the secretariat of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/17	Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/18	Letter dated 17 April 1995 from the Permanent Representative of the People's Republic of China to the United Nations and Deputy Head of the Chinese Delegation addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/19	Letter dated 17 April 1995 from the Alternate Head of the Indonesian Delegation addressed to the Secretary-General of the

	1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/20	Letter dated 17 April 1995 from the representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/21	Working paper on multilateral nuclear supply principles, submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee.
NPT/CONF.1995/22	Letter dated 18 April 1995 from the Permanent Representative of Bulgaria to the United Nations addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/23	Letter dated 20 April 1995 from Under Secretary for Multilateral Affairs and Head of the Delegation of Mexico addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/24	Letter dated 21 April 1995 from the Head of the Delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/25	Note verbale dated 24 April 1995 from the Delegation of the Russian Federation addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/26	Letter dated 25 April 1995 from the Permanent Representative of the People's Republic of China to the United Nations and Deputy Head of the Chinese Delegation addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/27	Note by the Secretariat
NPT/CONF.1995/28	Rules of procedure
NPT/CONF.1995/29	Schedule of division of costs
NPT/CONF.1995/30	Letter dated 9 May 1995 from the Permanent Representative of the Democratic People's Republic of Korea addressed to the President of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/31	Note verbale dated 9 May 1995 from the Permanent Mission of Denmark, on behalf of the five Nordic Countries, addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/L.1/Rev.1	Draft resolution submitted by Mexico
NPT/CONF.1995/L.2	Draft decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, submitted by Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Republic of Palau, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis,

	Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Venezuela and Zaire
NPT/CONF.1995/L.3	Draft decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, submitted by Democratic People's Republic of Korea, Ghana, Indonesia, Iran (Islamic Republic of), Jordan, Malaysia, Mali, Myanmar, Nigeria, Papua New Guinea, Thailand, United Republic of Tanzania, Zambia and Zimbabwe
NPT/CONF.1995/L.4	Draft decision on strengthening the review process for the Treaty, proposed by the President
NPT/CONF.1995/L.5	Draft decision on the principles and objectives for nuclear non-proliferation and disarmament, proposed by the President
NPT/CONF.1995/L.6	Draft decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, proposed by the President
NPT/CONF.1995/L.7	Draft resolution submitted by Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Mauritania, Morocco, Qatar, Saudi Arabia, Sudan, Tunisia and Yemen
NPT/CONF.1995/L.8	Draft resolution submitted by the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America

Main Committee I

NPT/CONF.1995/MC.I/1	Report of Main Committee I
NPT/CONF.1995/MC.I/L.1	Draft report of Main Committee I
NPT/CONF.1995/MC.I/WP.1	Letter dated 25 April 1995 from the Head of the Delegation of Mexico addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.2	Working paper on proposed elements on nuclear disarmament for the final document, submitted by China
NPT/CONF.1995/MC.I/WP.3	Working paper on review of articles I and II and first to third preambular paragraphs: excerpt from a communication dated 5 April 1995 from the Director General of the International Atomic Energy Agency to the Secretary-General of the United Nations, submitted by Iraq
NPT/CONF.1995/MC.I/WP.4 and Corr.1	Working paper on security assurances to non-nuclear-weapon States, submitted by Egypt
NPT/CONF.1995/MC.I/WP.5 (also issued as NPT/CONF.1995/MC.I/CRP.23)	Working paper on article VI and eighth to twelfth preambular paragraphs, submitted by the members of the Movement of Non-Aligned Countries parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.1995/MC.I/WP.6 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.5)	Working Group on security assurances and article VII
NPT/CONF.1995/MC.I/WP.7 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.9)	Proposal of Egypt on security assurances and article VII
NPT/CONF.1995/MC.I/WP.8 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.3)	Proposal of Nigeria on security assurances and article VII
NPT/CONF.1995/MC.I/WP.9 (also issued as NPT/CONF.1995/MC.I/CRP.11)	Review of articles I and II and first to third preambular paragraphs: language proposed by the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/WP.10 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.11)	Working Group on security assurances and article VII
NPT/CONF.1995/MC.I/WP.11 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.10)	Working paper on more elaborate security assurances for non-nuclear-weapon States, submitted by Egypt
NPT/CONF.1995/MC.I/CRP.1	Schedule of meetings of Main Committee I
NPT/CONF.1995/MC.I/CRP.3	United Nations Security Council resolution 707 (1991), circulated at the request of the United States of America
NPT/CONF.1995/MC.I/CRP.4	United Nations Security Council resolution 825 (1993), circulated at the request of the United States of America

NPT/CONF.1995/MC.I/CRP.5	Proposed language on the review of articles I and II and the first to third preambular paragraphs, submitted by Egypt
NPT/CONF.1995/MC.I/CRP.6	Proposed language on the review of articles I and II and the first to third preambular paragraphs, submitted by the European Union
NPT/CONF.1995/MC.I/CRP.7	Proposed language on the review of articles I and II and the first to third preambular paragraphs with reference to the European Union paper (NPT/CONF.1995/MC.I/CRP.6), submitted by the United States of America
NPT/CONF.1995/MC.I/CRP.8 and Rev.1-6	Chairman's paper on review of articles I and II and the first to third preambular paragraphs
NPT/CONF.1995/MC.I/CRP.9	Proposed language on the review of articles I and II and the first to third preambular paragraphs, submitted by Belarus and Ukraine
NPT/CONF.1995/MC.I/CRP.10	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.1995/MC.I/CRP.11 (also issued as NPT/CONF.1995/MC.I/WP.9)	Proposed language on the review of articles I and II and the first to third preambular paragraphs, submitted by the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/CRP.12	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs with reference to NPT/CONF.1995/MC.I/CRP.10, submitted by the United States of America
NPT/CONF.1995/MC.I/CRP.13	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Ireland
NPT/CONF.1995/MC.I/CRP.14	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Sweden
NPT/CONF.1995/MC.I/CRP.15	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Japan

NPT/CONF.1995/MC.I/CRP.16	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Norway
NPT/CONF.1995/MC.I/CRP.17	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by China
NPT/CONF.1995/MC.I/CRP.18	Proposed language on the review of articles I and II and the first to third preambular paragraphs, submitted by Belarus and Ukraine
NPT/CONF.1995/MC.I/CRP.19	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Austria
NPT/CONF.1995/MC.I/CRP.20 and Rev.1 and 2	Chairman's paper on the review of article VI and the eighth to twelfth preambular paragraphs
NPT/CONF.1995/MC.I/CRP.21	Proposed programme of action for nuclear disarmament, submitted by Nigeria
NPT/CONF.1995/MC.I/CRP.22	Proposed language on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament submitted by New Zealand
NPT/CONF.1995/MC.I/CRP.23 (also issued as NPT/CONF.1995/MC.I/WP.5)	Working document on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/CRP.24	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs with reference to NPT/CONF.1995/MC.I/CRP.20, submitted by the Philippines
NPT/CONF.1995/MC.I/CRP.25	Proposed language on the review of article VI and the eighth to twelfth preambular paragraphs, submitted by Belarus
NPT/CONF.1995/MC.I/CRP.26	Report of the Working Group on security assurances and article VII
NPT/CONF.1995/MC.I/CRP.27	Proposed variations to paragraph 9 of the Chairman's paper (NPT/CONF.1995/CRP.20/Rev.2) on the review of articles I and II and the first to third preambular paragraphs, submitted by Algeria, Gabon, Ireland and Ukraine
NPT/CONF.1995/MC.I/WG.I/CRP.1 and Rev.1	Chairman's paper on security assurances and article VII

NPT/CONF.1995/MC.I/WG.I/CRP.2	Position of France on security assurances to non-nuclear-weapon States
NPT/CONF.1995/MC.I/WG.I/CRP.3 (also issued as NPT/CONF.1995/MC.I/WP.8)	Proposal of Nigeria on security assurances and article VII
NPT/CONF.1995/MC.I/WG.I/CRP.4	Collected textual proposal for the Chairman's paper of the Working Group on security assurances and article VII
NPT/CONF.1995/MC.I/WG.I/CRP.5 (also issued as NPT/CONF.1995/MC.I/WP.6)	Document CD/1277 (6 September 1994) of the Conference on Disarmament containing a draft protocol on security assurances, circulated at the request of Myanmar
NPT/CONF.1995/MC.I/WG.I/CRP.6	Proposed language on nuclear-weapon-free zones submitted by China
NPT/CONF.1995/MC.I/WG.I/CRP.7	Proposed language on article VII, submitted by Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa
NPT/CONF.1995/MC.I/WG.I/CRP.8	Working Group on security assurances and article VII (Chairman's Non-Paper)
NPT/CONF.1995/MC.I/WG.I/CRP.9 (also issued as NPT/CONF.1995/MC.I/WP.7)	Proposal for a collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995), submitted by Egypt
NPT/CONF.1995/MC.I/WG.I/CRP.10 (also issued as NPT/CONF.1995/MC.I/WP.11)	More elaborate security assurances for non-nuclear-weapon States: language proposed by Egypt
NPT/CONF.1995/MC.I/WG.I/CRP.11 (also issued as NPT/CONF.1995/MC.I/WP.10)	Working document for textual option for the report of Main Committee I: review of security assurances and nuclear-weapon-free zones submitted by Indonesia on behalf of the Movement of Non-Aligned Countries parties to the Treaty

Main Committee II

NPT/CONF.1995/MC.II/1	Report of Main Committee II
NPT/CONF.1995/MC.II/WP.1	Working paper on article III - introduction, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.2	Working paper on article III - safeguards, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

NPT/CONF.1995/MC.II/WP.3	Working paper on article III - State systems of accounting and control, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.4	Working paper on article III - financing of safeguards, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.5	Working paper on article III - safeguards in nuclear-weapon States, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.6	Working paper on article III - IAEA inspectors, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.7	Working paper on article III - export licensing, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.8	Working paper on article III - physical protection, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.9	Working paper on article III - plutonium, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.10	Working paper on prevention of nuclear-weapon proliferation, nuclear safeguards and nuclear-weapon-free zones, submitted by China
NPT/CONF.1995/MC.II/WP.11	Working paper on article III - IAEA safeguards, including special inspections and preventing clandestine nuclear weapon programmes, submitted by Romania
NPT/CONF.1995/MC.II/WP.12	Working paper on article III - export licensing, submitted by Romania
NPT/CONF.1995/MC.II/WP.13	Working paper on article VII - nuclear-weapon-free zones, submitted by Egypt

NPT/CONF.1995/MC.II/WP.14	Working paper on article VII - South-East Asia nuclear-weapon-free zone, submitted by Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand
NPT/CONF.1995/MC.II/WP.15 and Add.1	Working paper on article III - International Atomic Energy Agency safeguards, submitted by Argentina, Armenia, Australia, Austria, Belgium, Brunei Darussalam, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Kyrgyzstan, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Romania, Samoa, Singapore, Slovakia, South Africa, Sri Lanka, Sweden and Thailand
NPT/CONF.1995/MC.II/WP.16	Working paper on article VII - nuclear-weapon-free zones, submitted by Argentina, Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa
NPT/CONF.1995/MC.II/WP.17	Working paper on article VII - nuclear-weapon-free zone in Central Asia, submitted by Kyrgyzstan
NPT/CONF.1995/MC.II/WP.18	Working paper on articles III and VII - nuclear safeguards, nuclear-weapon-free zones and export control, submitted by the Movement of Non-Aligned Countries
NPT/CONF.1995/MC.II/CRP.1	Schedule of the meetings of Committee II
NPT/CONF.1995/MC.II/CRP.2	Chairman's proposal for a possible structure of discussion
NPT/CONF.1995/MC.II/CRP.3	Copies of the transparencies on strengthening the effectiveness and improving the efficiency of the IAEA safeguards system as presented by Richard Hooper (IAEA), on 21 April 1995

Main Committee III

NPT/CONF.1995/MC.III/1	Report of Main Committee III
NPT/CONF.1995/MC.III/WP.1	Working paper on article IV and related issues, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.III/WP.2	Working paper submitted by China

NPT/CONF.1995/MC.III/WP.3	Working paper on article IV and related issues, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.III/WP.4	Working paper on article IV and related issues, submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.III/WP.5	Working paper on article IV and related issues, submitted by Indonesia on behalf of the Group of Non-Aligned and Other States
NPT/CONF.1995/MC.III/WP.6 and Add.1	Working paper on article V, submitted by Algeria, Australia, Austria, Belarus, Bulgaria, Cambodia, Canada, Colombia, Croatia, the Czech Republic, Denmark, Finland, Hungary, Indonesia, Ireland, Japan, Kazakstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Malaysia, the Marshall Islands, the Netherlands, New Zealand, Norway, Palau, Papua New Guinea, the Philippines, Poland, the Republic of Korea, Romania, Slovakia, South Africa, Sri Lanka, Sweden, Switzerland, Tonga, Tuvalu, Ukraine and Uruguay
NPT/CONF.1995/MC.III/CRP.1	Chairman's suggested indicative timetable of work
NPT/CONF.1995/MC.III/CRP.2	Technology transfer activities of IAEA in respect of technical cooperation
NPT/CONF.1995/MC.III/CRP.3	Chairman's proposal for a possible structure of discussion
NPT/CONF.1995/MC.III/CRP.4/Rev.1	Draft report of Main Committee III

Drafting Committee

NPT/CONF.1995/DC/1	Report of the Drafting Committee
NPT/CONF.1995/DC/L.1 and Add.1	Draft report of the Drafting Committee

Credentials Committee

NPT/CONF.1995/CC/L.1	Interim report of the Credentials Committee
NPT/CONF.1995/CC/1 and Add.1	Final report of the Credentials Committee

Summary Records

PLENARY MEETINGS

NPT/CONF.1995/SR.1-14	Summary records of the 1st to 14th meetings
NPT/CONF.1995/PV.15-19	Verbatim records of the 15th to 19th meetings

MAIN COMMITTEE I

NPT/CONF.1995/SR.1-12	Summary records of the 1st to 12th meetings

MAIN COMMITTEE II

NPT/CONF.1995/SR.1-10	Summary records of the 1st to 10th meetings

MAIN COMMITTEE III

NPT/CONF.1995/SR.1-6	Summary records of the 1st to 6th meetings

Information Documents

NPT/CONF.1995/INF/1	Information note
NPT/CONF.1995/INF/2	Information note
NPT/CONF.1995/INF/3	List of offices and telephone numbers of the secretariat
NPT/CONF.1995/INF/4/Rev.1	Composition of the General Committee
NPT/CONF.1995/INF/5	Officers of the Committees
NPT/CONF.1995/INF/6	Note from the Chairman of the Credentials Committee
NPT/CONF.1995/Misc.1/Rev.1	Provisional list of participants

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/1
1 February 1995

ORIGINAL: ENGLISH

FINAL REPORT OF THE PREPARATORY COMMITTEE FOR THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I. TERMS OF REFERENCE AND ORGANIZATION OF WORK

1. At its forty-seventh session, the General Assembly, in resolution 47/52 A of 9 December 1992, took note of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons, following appropriate consultations, to form a preparatory committee for a conference to review the operation of the Treaty and to decide on its extension, as called for in article X, paragraph 2, and also as provided for in article VIII, paragraph 3, of the Treaty.

2. The General Assembly also noted that the Preparatory Committee would be open to all parties to the Treaty and, if the Preparatory Committee so decided at the outset of its first session, to States not parties, as observers.

3. The Committee held four sessions: the first in New York from 10 to 14 May 1993, the second in New York from 17 to 21 January 1994, the third in Geneva from 12 to 16 September 1994 and the fourth in New York from 23 to 27 January 1995. Progress reports covering the first three sessions of the Committee were issued, respectively, as documents NPT/CONF.1995/PC.I/2, NPT/CONF.1995/PC.II/3 and NPT/CONF.1995/PC.III/15.

4. At its first session, the Preparatory Committee elected Mr. Jan Hoekema (Netherlands) to serve as Chairman of the first session. It also decided that Mr. André Erdös (Hungary) would be Chairman of the second session. The Committee was informed that the Group of Non-Aligned States had nominated Nigeria to serve as Vice-Chairman of the first session and Chairman of a future session. It was further decided that the persons elected, when not serving as Chairmen, would serve as Vice-Chairmen. At its second session, the Committee elected Mr. Isaac E. Ayewah (Nigeria) to serve as Chairman of the third session. Further, at its third session the Committee was informed that Mr. Hoekema had been elected to his country's legislative assembly and had been succeeded by Mr. Jaap Ramaker. At its fourth session, the Committee elected Mr. Pasi Patokallio (Finland) to serve as Chairman of that session. The Committee authorized its Bureau and the President-elect to handle technical and other matters in the period before the Conference. Furthermore, the Committee decided that the Chairman of the fourth session should open the Conference.

5. Mr. Prvoslav Davinic, Director, Centre for Disarmament Affairs, represented the Secretary-General of the United Nations, Ms. Silvana F. da Silva, Senior Political Affairs Officer, served as Secretary of the Committee's first session, and Mrs. Hannelore Hoppe, Political Affairs Officer, Centre for Disarmament Affairs, served as Secretary of the second, third and fourth sessions. Mr. Mohamed Elbaradei, Assistant Director General for External Relations,

International Atomic Energy Agency (IAEA), Mr. Berhanykun Andemicael, Representative of the Director General of IAEA to the United Nations in New York, Mr. Paulo Barretto, Director, Division of Technical Cooperation Programmes, Mr. Richard Hooper, Director, IAEA Safeguards Department, Ms. Merle Opelz, Head of the IAEA Office at Geneva, and Ms. Jan Priest, Head, Safeguards and Non-Proliferation Policy Section, Division of External Relations, IAEA, represented the Agency.

6. Delegations of the following 154 States parties participated in one or more sessions of the Preparatory Committee:

> Afghanistan, Albania, Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia and Zimbabwe.

7. At its second session, the Committee decided that representatives of States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their countries' nameplates and to receive documents of the Committee. They should also be entitled, at their own expense, to submit documents to the participants in the Committee. Accordingly, representatives of the following States not parties to the Treaty attended meetings of the Committee as observers: Argentina, Brazil, Chile, Cuba, Israel, Oman, Pakistan and United Arab Emirates.

8. With regard to the participation of representatives of intergovernmental organizations, the Committee decided, at its third session, that they should be allowed, upon request, to attend as observers the meetings of the Committee

other than those designated closed meetings, to be seated in the Committee behind their organizations' nameplates and to receive documents of the Committee. They should also be entitled, at their own expense, to submit documents to the participants in the Committee. The following intergovernmental organizations were represented as observers at meetings of the Committee: Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), European Community and League of Arab States.

9. Furthermore, the Committee decided at its second session that representatives of non-governmental organizations (NGOs) should be allowed, upon request, to attend the meetings of the Committee other than those designated closed, to be seated in the public gallery, to receive documents of the Committee and, at their own expense, to make written material available to the participants in the Committee. They should also be given an opportunity, during the third session of the Preparatory Committee, to hold a briefing for those interested on the margins of the Committee's deliberations and at no additional expense to the latter. Representatives of 91 NGOs attended meetings of the Committee.

10. At its second session, the Committee decided to make every effort to adopt its decisions by consensus. In the event that consensus could not be reached, it would then take decisions in accordance with the rules of procedure of the Fourth Review Conference of the parties to the NPT.

11. At its first session, the Committee decided that its working languages would be Arabic, Chinese, English, French, Russian and Spanish.

12. In accordance with the Committee's decision at its first session, summary records were provided for the meetings of the fourth session (NPT/CONF.1995/PC.IV/SR.1-9), which are issued separately as annex I to the present report.

13. The Committee also decided that press releases should be issued at United Nations Headquarters in New York and at the United Nations Office at Geneva at the conclusion of each session of the Preparatory Committee.

14. At the first, second and third sessions of the Committee, an exchange of views was held on substantive issues related to the NPT and its 1995 Conference under the item "Other business". At its second session, the Committee heard presentations by IAEA on the Agency's Safeguards System and its technical cooperation activities. At its fourth session, the Committee decided to amend the programme of work by adding an item entitled "Exchange of views".

15. In addition to the background papers prepared by the Secretariat, IAEA, OPANAL and the South Pacific Forum (documents NPT/CONF.1995/PC.III/2-11), a number of documents were submitted by delegations during the Committee's sessions. The list of those documents is contained in annex II to the present report.

II. ORGANIZATION OF THE WORK OF THE CONFERENCE

16. In the course of its sessions, the Committee considered the following questions relating to the organization and work of the Conference:

(a) Dates and venue of the Conference;

(b) Draft rules of procedure of the Conference;

(c) Provisional agenda of the Conference;

(d) Organization of Committees;

(e) Financing of the Conference;

(f) Background documentation for the Conference;

(g) Final document(s) of the Conference.

(a) Dates and venue of the Conference

17. At its first session, the Committee decided that the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons would take place in New York from 17 April to 12 May 1995.

(b) Rules of procedure

18. At its second, third and fourth sessions, the Committee considered in depth the draft rules of procedure for the Conference and established an informal working group for that purpose. At its fourth session, the Committee agreed that, in order to finalize the provisional rules of procedure, the Chairman of the informal working group on the rules of procedure would hold further informal consultations on rule 28.3. Those consultations would be held in New York on 14 and 15 April. In order to assist that process, an appendix to annex III (draft rules of procedure) will be prepared, containing the five proposals pertaining to rule 28.3 that are before the informal working group on the rules of procedure.

(c) Agenda for the Conference

19. At its fourth session, the Committee adopted the provisional agenda as contained in annex IV to the present report.

(d) Organization of Committees

20. The Committee agreed to the proposed allocation of items to the Main Committees of the Conference as contained in annex V to the present report.

(e) Financing of the Conference

21. At its fourth session, the Committee decided to accept the revised statement of estimated costs prepared by the secretariat on the estimated cost

of the 1995 Conference, including the sessions of the Preparatory Committee, contained in document NPT/CONF.1995/PC.IV/2. The Committee agreed to the schedule of division of costs contained in appendix 1 to annex III to the present report.

(f) Background documentation

22. At its second session, the Preparatory Committee decided to invite the Secretary-General to prepare five papers, dealing with the overall implementation of the tenth preambular paragraph of the NPT; articles I and II; article VI; and article VII; and negative and positive security assurances. The papers should cover developments within the United Nations, the Conference on Disarmament and other multilateral and bilateral forums. The Preparatory Committee also invited the Director General of IAEA to prepare comprehensive background documentation on the implementation of articles III, IV and V. It also invited the Secretary General of OPANAL and the secretariat of the South Pacific Forum to prepare background papers dealing with their respective activities. The Committee requested that the papers be submitted to its third session.

23. It was also decided that the following general approaches should apply to the proposed papers: all papers must give balanced, objective and factual descriptions of relevant developments, be as short as possible and be easily readable. They must refrain from presenting value judgements. Rather than presenting collections of statements, they should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly relevant to any of the foregoing. The papers should focus on the period since the Fourth Review Conference. In order to make them self-contained, references to earlier developments should be included as appropriate.

24. Specifically:

(a) The paper on the tenth preambular paragraph (comprehensive nuclear test ban) should reflect developments in the Conference on Disarmament; developments within the framework of the United Nations; the amendment conference for the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (partial test-ban treaty); and outside developments;

(b) The paper on articles I and II should draw largely on the relevant discussions and results of the First to Fourth Review Conferences and take account of recent and current developments in the area of nuclear non-proliferation. To the extent necessary, the paper would include cross-references to matters discussed in the paper by IAEA on article III;

(c) The paper on article VI should cover developments regarding cessation of the nuclear arms race, nuclear disarmament and general and complete disarmament;

(d) The paper on article VII should deal with the issue of nuclear-weapon-free zones and contain a brief description of the issue of zones of peace;

(e) The paper on security assurances should deal with both positive and negative security assurances and reflect developments in the Conference on Disarmament and the United Nations and proposals within the ambit of the NPT and elsewhere.

25. In response to the Committee's request at its second session, a number of background papers were submitted for the third session by the Secretariat of the United Nations, and the secretariats of IAEA, OPANAL and the South Pacific Forum. At its third session, the Committee requested the respective secretariats to amend the relevant background papers in the light of comments made in the course of the discussions, to update them to take account of current events in conformity with the general approach adopted at the second session and to submit them to the Conference. In that context, the provisional Secretary-General informed the Committee of the status of updating and amending those papers (NPT/CONF.1995/SR.8).

(g) Final document(s) of the Conference

26. The Committee agreed to defer to the Conference a decision on the question of the final document(s) of the Conference.

III. OFFICERS OF THE CONFERENCE

27. At its first session, the Committee was informed about two candidatures for the position of President of the 1995 Conference. At its second session, the Committee was informed that Poland, as the candidate of the Eastern European Group of States, was withdrawing in favour of Mr. Jayantha Dhanapala of Sri Lanka, the candidate endorsed by the Movement of Non-Aligned Countries. The gesture by Poland was warmly recognized by a number of States parties, which also expressed the wish that Poland be accorded a significant role at the 1995 Conference. The Committee then unanimously endorsed the candidacy of Mr. Dhanapala for the presidency of the 1995 Conference.

28. At the fourth session, the Committee agreed to recommend as Chairmen of the three Main Committees the following:

Main Committee I	Mr. Isaac E. Ayewah (Nigeria)
Main Committee II	Mr. André Erdös (Hungary)
Main Committee III	Mr. Jaap Ramaker (Netherlands)

29. The Committee also agreed to recommend as Chairman of the Drafting Committee Mr. Tadeusz Strulak (Poland) and as Chairman of the Credentials Committee a representative of the Group of Non-Aligned and Other States.

IV. APPOINTMENT OF THE SECRETARY-GENERAL OF THE CONFERENCE

30. At its first session, the Committee decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, a nomination to be confirmed by the Conference itself. At its second session, the Committee was informed that, in response to that request, the Secretary-General of the United Nations, following consultations with the members of the Preparatory Committee, had nominated Mr. Prvoslav Davinic, Centre for Disarmament Affairs, as provisional Secretary-General of the Conference. The Committee took note of that nomination.

V. PARTICIPATION AT THE CONFERENCE

31. The Committee also decided that invitations to States which, in accordance with the decision on participation, were entitled to participate in the Conference, as well as to the Secretary-General of the United Nations and Director General of IAEA, should be issued by the Chairman of the fourth session of the Preparatory Committee.

VI. ADOPTION OF THE FINAL REPORT

32. The Preparatory Committee adopted its final report at its last meeting, on 27 January 1995.

Annex I

SUMMARY RECORDS OF THE MEETINGS OF THE FOURTH SESSION OF THE PREPARATORY COMMITTEE

[To be distributed individually as NPT/CONF.1995/PV.IV/SR.1-9]

Annex II

LIST OF DOCUMENTS SUBMITTED BY DELEGATIONS

NPT/CONF.1995/PC.III/12	Document submitted by Colombia, Egypt, Indonesia, Iran (Islamic Republic of), Mexico, Myanmar and Nigeria
NPT/CONF.1995/PC.III/13	Letter dated 14 September 1994 from the head of the delegation of Indonesia addressed to the Chairman of the Preparatory Committee, transmitting a document of the Group of Non-Aligned and Other States on substantive issues
NPT/CONF.1995/PC.III/14	Letter dated 15 September 1994 from the head of the German delegation, Presidency of the European Union, addressed to the Chairman of the Preparatory Committee, transmitting a document of the European Union on legal aspects in connection with the extension of the NPT
NPT/CONF.1995/PC.IV/3	Letter dated 25 November 1994 from the Permanent Mission of Yemen to the United Nations Office and Other International Organizations at Geneva informing the Preparatory Committee of the position of Yemen on the question of the holding of the Conference
NPT/CONF.1995/PC.IV/4	Letter dated 23 January 1995 from the representative of Indonesia addressed to the Chairman of the Preparatory Committee
NPT/CONF.1995/PC.IV/6	Letter dated 25 January 1995 from the Permanent Representative of the Democratic People's Republic of Korea addressed to the Chairman of the Preparatory Committee

Annex III

DRAFT RULES OF PROCEDURE

I. REPRESENTATION AND CREDENTIALS

Delegations of Parties to the Treaty

Rule 1

1. Each State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter "the Treaty") may be represented at the 1995 Review and Extension Conference of the Parties to the Treaty (hereinafter the "Conference"), the objectives of which are to review the operation of the Treaty and to decide on its extension, by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Election

Rule 5

The Conference shall elect the following officers: a President and twenty-six Vice-Presidents, as well as a Chairman and two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. The officers shall be elected so as to ensure a representative distribution of posts.

Acting President

Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, the twenty-six Vice-Presidents, the Chairmen of the three Main Committees, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members of the same delegation and it shall be so constituted as to ensure its representative character.

2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of a Main Committee, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen to take his place, with the

right to vote unless he is of the same delegation as another member of the General Committee.

Functions

Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. CONFERENCE SECRETARIAT

Duties of the Secretary-General of the Conference

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and working groups, and may designate a member of the secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the secretariat

Rule 11

The secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate and circulate the documents of the Conference;

(c) Publish and circulate any report of the Conference;

(d) Make and arrange for the keeping of sound recordings and summary records of meetings;

(e) Arrange for the custody of documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depository Governments; and

(f) Generally perform all other work that the Conference may require.

Costs

Rule 12*

The costs of the Conference, including the sessions of the Preparatory Committee, will be met by the States Parties to the Treaty participating in the Conference in accordance with the schedule for the division of costs attached as appendix 1.

V. CONDUCT OF BUSINESS

Quorum

Rule 13

1. Except as provided in paragraph 2 below, a majority of the States Parties to the Treaty participating in the Conference shall constitute a quorum.

2. With respect to an article X.2 decision, a majority of the States Parties to the Treaty shall constitute a quorum.

3. To determine whether the Conference is quorate, any State Party may call for a roll call at any time.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference; he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on the question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

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* It is understood that the financial arrangements provided by rule 12 do not constitute a precedent.

Points of order

Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19 to 22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers

Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply

Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate

Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions

Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than twenty-four hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 25

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of proposals

Rule 27

Proposals adopted by consensus and a decision taken in accordance with rule 28.3 may not be reconsidered unless the Conference reaches a consensus on such reconsideration. A proposal other than a proposal under rule 28.3 that has been adopted or rejected by a majority or two-thirds vote may be reconsidered if the Conference, by a two-thirds majority, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. VOTING AND ELECTIONS

Adoption of decisions

Rule 28

The tasks of the Conference being to review, pursuant to paragraph 3 of article VIII of the Treaty, the operation of the Treaty with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized, and thus to strengthen its effectiveness, and to decide, in accordance with paragraph 2 of article X of the Treaty, whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

1. General

(a) Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

(b) If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

(c) In cases where a vote is taken, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

2. Review

(a) If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, the President shall defer the vote for forty-eight hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

(b) If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, providing that such majority shall include at least a majority of the States participating in the Conference.

3. The extension*

(a) The requirements of paragraph 2 of article X of the Treaty shall be considered met when there is a consensus in support of a proposal made in accordance with that paragraph, provided that the Conference is quorate as defined in rule 13.

(b) If, notwithstanding the best efforts of delegates to achieve a consensus decision on extension, a proposal or proposals come up for voting, the President shall defer the vote for forty-eight hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

(c) If by the end of the period of deferment the Conference has not reached a consensus decision on the extension, voting shall take place and the decision shall be taken by a majority of the Parties to the Treaty, in accordance with paragraph 2 of article X.

(d) The Conference may be closed only when the decision required by paragraph 2 of article X of the Treaty has been reached.

Voting rights

Rule 29

Every State Party to the Treaty shall have one vote.

Meaning of the phrases "representatives present and voting" and "majority of the Parties to the Treaty"

Rule 30

1. For the purposes of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

2. For the purposes of these rules, the term "majority of the Parties to the Treaty" means more than half of the total number of all States Parties to the Treaty.

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* Rule 28.3 has not been finalized. A number of suggestions for revision are reflected in appendix 2.

Elections

Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes a special ballot shall be held; if a tie again results in this special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.

3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. COMMITTEES

Main Committees and working groups

Rule 34

The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish working groups. As a general rule each State Party to the Treaty participating in the Conference may be represented in the working groups unless otherwise decided by consensus.

Representation on the Main Committees

Rule 35

Each State Party to the Treaty participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Drafting Committee

Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Officers and procedures

Rule 37

The rules relating to officers, the Conference secretariat, conduct of business and voting of the Conference (contained in chaps. II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, *mutatis mutandis*, to the proceedings of committees and working groups, except that:

(a) Unless otherwise decided, any working group shall elect a chairman and such other officers as it may require;

(b) The Chairmen of the General, the Drafting and the Credentials Committees and the Chairmen of working groups may vote in their capacity as representatives of their States;

(c) A majority of the representatives on the General, Drafting and Credentials Committees or on any working group shall constitute a quorum; the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the representatives of the States participating in the Conference are present.

VIII. LANGUAGES AND RECORDS

Languages of the Conference

Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.

2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings

Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Main Committee concerned, no such recordings shall be made of the meetings of a working group thereof.

Summary records

Rule 42

1. Summary records of the plenary meetings of the Conference and of the meetings of the Main Committees shall be prepared by the secretariat in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

IX. PUBLIC AND PRIVATE MEETINGS

Rule 43

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private.

X. PARTICIPATION AND ATTENDANCE

Rule 44

1. Observers

(a) Any other State which, in accordance with article IX of the Treaty, has the right to become a Party thereto but which has neither acceded to nor ratified it may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference.* Such a State shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer State shall also be entitled to submit documents to the participants in the Conference.

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* It is understood that any such decision will be in accordance with the practice of the General Assembly.

(b) Any national liberation organization entitled by the General Assembly of the United Nations* to participate as an observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly and all international conferences convened under the auspices of other organs of the United Nations may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer organization shall also be entitled to submit documents to the participants in the Conference.

2. The United Nations and the International Atomic Energy Agency

The Secretary-General of the United Nations and the Director General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings of the plenary and of the Main Committees and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

3. Specialized agencies and regional intergovernmental organizations

The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Forum, other regional intergovernmental organizations and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for observer agency status, which will be accorded on the decision of the Conference. An observer agency shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees, other than those designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as conference documents.

4. Non-governmental organizations

Representatives of non-governmental organizations who attend meetings of the plenary or of the Main Committees will be entitled upon request to receive the documents of the Conference.

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* Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974, 3280 (XXIX) of 10 December 1974 and 152/31 of 20 December 1976.

Appendix 1
(to rule 12)

SCHEDULE OF DIVISION OF COSTS

1. The attached schedule shows the allocation of costs between States based on participation of States in the first, second, third or fourth sessions of the Preparatory Committee.

2. The schedule for the actual division of costs will be subject to review in the light of participation of States in the Conference, except that the shares designated in the schedule with an asterisk will remain as shown in the schedule. The balance of costs will be divided among the other States Parties according to the ratio of their respective assessments under the United Nations scale. (The assigned contributions of States Parties not members of the United Nations will be based upon estimates.)*

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* Three States Parties have contested and continued to contest, under Article 2, paragraph 1, of the Charter of the United Nations, the assessment rates decided by the General Assembly in its decision 47/456 and in its resolution 49/19. However, they agree to assume the share apportioned to them as indicated in the present appendix.

SCHEDULE

		Share of estimated total costs (percentage)
1.	Afghanistan	0.01
2.	Albania	0.01
3.	Algeria	0.13
4.	Antigua and Barbuda	0.01
5.	Armenia	0.07
6.	Australia	1.20
7.	Austria	0.70
8.	Azerbaijan	0.13
9.	Bahamas	0.02
10.	Bahrain	0.02
11.	Bangladesh	0.01
12.	Barbados	0.01
13.	Belarus	0.31
14.	Belgium	0.82
15.	Belize	0.01
16.	Benin	0.01
17.	Bhutan	0.01
18.	Bolivia	0.01
19.	Bosnia and Herzegovina	0.02
20.	Botswana	0.01
21.	Brunei Darussalam	0.02
22.	Bulgaria	0.08
23.	Burkina Faso	0.01
24.	Cambodia	0.01
25.	Cameroon	0.01
26.	Canada	2.53
27.	Cape Verde	0.01
28.	Central African Republic	0.01
29.	China	0.91*
30.	Colombia	0.09
31.	Costa Rica	0.01
32.	Côte d'Ivoire	0.01
33.	Croatia	0.08
34.	Cyprus	0.02
35.	Czech Republic	0.26
36.	Democratic People's Republic of Korea	0.03
37.	Denmark	0.58
38.	Dominica	0.01
39.	Dominican Republic	0.01
40.	Ecuador	0.02
41.	Egypt	0.06
42.	El Salvador	0.01
43.	Equatorial Guinea	0.01
44.	Estonia	0.04
45.	Ethiopia	0.01
46.	Fiji	0.01
47.	Finland	0.50

48.	France	7.14*
49.	Gabon	0.01
50.	Germany	7.37
51.	Ghana	0.01
52.	Greece	0.31
53.	Grenada	0.01
54.	Guatemala	0.02
55.	Guinea	0.01
56.	Guinea-Bissau	0.01
57.	Guyana	0.01
58.	Haiti	0.01
59.	Holy See	0.01
60.	Honduras	0.01
61.	Hungary	0.12
62.	Iceland	0.02
63.	Indonesia	0.12
64.	Iran (Islamic Republic of)	0.49
65.	Iraq	0.12
66.	Ireland	0.16
67.	Italy	3.95
68.	Jamaica	0.01
69.	Japan	11.50
70.	Jordan	0.01
71.	Kazakhstan	0.21
72.	Kenya	0.01
73.	Kyrgyzstan	0.03
74.	Kuwait	0.16
75.	Lao People's Democratic Republic	0.01
76.	Latvia	0.08
77.	Lebanon	0.01
78.	Lesotho	0.01
79.	Liberia	0.01
80.	Libyan Arab Jamahiriya	0.17
81.	Liechtenstein	0.01
82.	Lithuania	0.09
83.	Luxembourg	0.06
84.	Madagascar	0.01
85.	Malawi	0.01
86.	Malaysia	0.12
87.	Maldives	0.01
88.	Mali	0.01
89.	Malta	0.01
90.	Mauritania	0.01
91.	Mauritius	0.01
92.	Mexico	0.64
93.	Mongolia	0.01
94.	Morocco	0.02
95.	Mozambique	0.01
96.	Myanmar	0.01
97.	Namibia	0.01
98.	Nepal	0.01
99.	Netherlands	1.30

100.	New Zealand	0.20
101.	Nicaragua	0.01
102.	Niger	0.01
103.	Nigeria	0.13
104.	Norway	0.45
105.	Panama	0.01
106.	Papua New Guinea	0.01
107.	Paraguay	0.01
108.	Peru	0.05
109.	Philippines	0.05
110.	Poland	0.31
111.	Portugal	0.20
112.	Qatar	0.03
113.	Republic of Korea	0.66
114.	Republic of Moldova	0.09
115.	Romania	0.12
116.	Russian Federation	8.00*
117.	Rwanda	0.01
118.	Saint Lucia	0.01
119.	Samoa	0.01
120.	San Marino	0.01
121.	Sao Tome and Principe	0.01
122.	Saudi Arabia	0.66
123.	Senegal	0.01
124.	Seychelles	0.01
125.	Sierra Leone	0.01
126.	Singapore	0.12
127.	Slovakia	0.08
128.	Slovenia	0.06
129.	Solomon Islands	0.01
130.	South Africa	0.28
131.	Spain	1.85
132.	Sri Lanka	0.01
133.	Sudan	0.01
134.	Suriname	0.01
135.	Sweden	1.01
136.	Switzerland	1.00
137.	Syrian Arab Republic	0.04
138.	Thailand	0.11
139.	Togo	0.01
140.	Trinidad and Tobago	0.03
141.	Tunisia	0.02
142.	Turkey	0.28
143.	Uganda	0.01
144.	Ukraine	1.22
145.	United Kingdom of Great Britain and Northern Ireland	6.13*
146.	United Republic of Tanzania	0.01
147.	United States of America	32.82*
148.	Uruguay	0.03
140.	Uzbekistan	0.16
150.	Venezuela	0.33
151.	Viet Nam	0.01

152.	Yemen	0.01
153.	Zambia	0.01
154.	Zimbabwe	0.01

Appendix 2

PROPOSALS ON RULE 28.3

The following five proposals on rule 28.3 were submitted to the Informal Working Group on the Rules of Procedure during the fourth session of the Preparatory Committee. These proposals will be taken up in the informal consultations of the Group to be held 14 and 15 April 1995 in New York.

1. Proposal by Mexico

(a) Add the following new paragraph after rule 28.3 (a):

In order to achieve the decision on the extension of the Treaty, the President shall conduct consultations from the outset of the Conference and keep the General Committee informed in this regard.

(b) Renumber the remaining paragraphs accordingly.

2. Proposal by the non-aligned countries

(a) Replace the existing rule 28.3 (c) by the following:

(c) If by the end of the period of deferment the Conference has not reached a consensus decision on the extension, voting shall take place.

(d) All extension proposals shall be put to a vote simultaneously and on a single ballot. The proposal receiving the highest number of votes shall be the final decision of the Conference on the extension of the Treaty, provided that the decision is supported by a majority of Parties to the Treaty in accordance with article X.2.

(e) If no proposal receives the required majority, the proposal having received the smallest number of votes will be eliminated and successive ballot(s) between proposals with the highest number of votes will be conducted until the majority in accordance with article X.2. is reached.

(b) Renumber existing paragraph 3 (d) as 3 (f).

3. Proposal by the United Kingdom

(a) After rule 28.3 (c) add

(d) The order of submission of proposals shall not determine the order in which they are considered.

(e) Any amendment to a proposal shall be considered a new proposal, although the sponsor of a proposal may revise his own proposal at any time before a decision on it has been taken.

(b) Renumber existing paragraph 3 (d) as 3 (f).

4. Proposal by Indonesia

Rule 28.3 (d) should read

The Conference may be closed only for a maximum period of one year when the decision required by paragraph 2 of article X of the Treaty has not been reached.

5. Proposal by the Russian Federation

Rule 28.3 (d) should read

The Conference cannot be closed nor suspended or recessed unless and until the decision required by paragraph 2 of article X of the Treaty has been reached.

Annex IV

PROVISIONAL AGENDA

1. Opening of the Conference by the Chairman of the fourth session of the Preparatory Committee.
2. Election of the President of the Conference.
3. Statement by the President of the Conference.
4. Address by the Secretary-General of the United Nations.
5. Address by the Director General of the International Atomic Energy Agency.
6. Submission of the final report of the Preparatory Committee.
7. Adoption of the rules of procedure.
8. Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee.
9. Election of Vice-Presidents.
10. Credentials of representatives to the Conference:
    - (a) Appointment of the Credentials Committee;
    - (b) Report of the Credentials Committee.
11. Confirmation of the nomination of the Secretary-General.
12. Adoption of the agenda.
13. Programme of work.
14. Adoption of arrangements for meeting the costs of the Conference.
15. General debate.
16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:
    - (a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:
        - (i) Articles I and II and preambular paragraphs 1 to 3;
        - (ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII with specific reference to the main issues in (a) and (b);

(b) Security assurances:

(i) United Nations Security Council resolution 255 (1968);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V.

(e) Other provisions of the Treaty.

17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

18. Reports of the Main Committees.

19. Decision on the extension of the Treaty as provided for in article X, paragraph 2.

20. Consideration and adoption of Final Document(s).

21. Any other business.

Annex V

PROPOSED ALLOCATION OF ITEMS TO THE MAIN COMMITTEES OF THE CONFERENCE

1. The Preparatory Committee agreed to recommend for consideration by the Conference the following allocation of items to the three Main Committees, with the understanding that the remaining items would be considered in the Plenary.

2. It is understood that all articles, preambular paragraphs and agenda items allocated to the Main Committees shall be reviewed in their interrelationship. Main Committee I is entrusted with the task of assessing the extent to which obligations of articles I, II and VI are being met.

1. Main Committee I

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(i) Articles I and II and preambular paragraphs 1 to 3;

(ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII, with specific reference to the main issues considered in this Committee;

(b) Security assurances:

(i) United Nations Security Council resolution 255 (1968);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

2. Main Committee II

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII.

(e) Other provisions of the Treaty.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

3. _Main Committee III_

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2), (4) and preambular paragraphs 4 and 5;

(ii) Article V.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/12
28 March 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 21 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ADDRESSED TO THE PROVISIONAL SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to refer to the *aide-mémoire* of the General Department of Atomic Energy of the Democratic People's Republic of Korea dated 23 January 1995, which has been circulated as a document of the Preparatory Committee for the 1995 Review and Extension Conference of the parties to the non-proliferation Treaty under the symbol NPT/CONF.1995/PC.IV/6.

It would be highly appreciated if the above-mentioned *aide-mémoire* could be included as an official document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and be made available to all States parties to the Treaty (see annex).

(*Signed*) PAK Gil Yon
Ambassador
Permanent Representative

ANNEX

Aide-mémoire dated 23 January 1995 of the General Department of Atomic Energy of the Democratic People's Republic of Korea

1. The General Department of Atomic Energy of the Democratic People's Republic of Korea categorically rejects the misrepresentation of its implementation of the Safeguards Agreement (INFCIRC/403) contained in the background document prepared by the secretariat of the International Atomic Energy Agency (IAEA) to be presented to the 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and issues the present aide-mémoire to put straight the truth thereof.

I. THE "INCONSISTENCIES"

2. The "inconsistencies" are a deliberate fabrication by the IAEA secretariat. The "inconsistencies" allegedly found by the IAEA secretariat consist in the discrepancy between the Democratic People's Republic of Korea's initial declaration to the Agency and the Agency's calculations with respect to the composition and quantity of plutonium and in the discrepancy between the composition rate of plutonium and that of waste liquid.

3. In its previous consultations with the IAEA secretariat and its contacts with its inspectors, the Democratic People's Republic of Korea has fully explained the reasons why the so-called "inconsistencies" came about.

4. The discrepancy concerning the composition and quantity of plutonium as compared with the Agency's calculations came from the failure by the IAEA secretariat to make a separate calculation, instead of their average calculation, of the composition and quantity of plutonium on the basis of the burn-up rate of the damaged fuel rods used for extracting plutonium. This was the reason why the Agency inspectors, who were in the Democratic People's Republic of Korea in February 1993, said that the "inconsistencies might have come from the Agency's calculation error" and also agreed that "recalculation will have to be made before resuming consultations".

5. Another discrepancy concerning the composition rate of plutonium as compared with that of waste liquid came in 1975 when the Democratic People's Republic of Korea scientists poured the solution from the basic experiment of plutonium extraction into the waste tank. This is a fact that the Democratic People's Republic of Korea fully explained to the Agency's Director General during his visit to the Democratic People's Republic of Korea in May 1992, when the Democratic People's Republic of Korea briefed him on its nuclear activities. This was a simple matter and was how things actually stood.

6. Notwithstanding this fact, the Agency's Director General stretched the unconfirmed "inconsistencies" into fait accompli and called on the Democratic People's Republic of Korea, on 9 February 1993, to accept "special inspections", even before the beginning of recalculation by the inspectors, who had arrived in Vienna only on 8 February.

7. The Democratic People's Republic of Korea could not accept the "special inspections" demanded by the Agency, which had deliberately refused to acknowledge both the "inconsistency" resulting from the IAEA secretariat's own calculation error and the "inconsistency" coming from the movement of the solution from the basic experiment of plutonium extraction into the waste tank, and, therefore, when the Democratic People's Republic of Korea refused such an unfair demand, it was an exercise of the legitimate rights of a sovereign State.

II. THE USE OF "INTELLIGENCE INFORMATION" AND "SATELLITE PHOTOGRAPHS"

8. The IAEA secretariat is not entitled to apply "intelligence information" and "satellite photographs" provided by a third State party to its safeguards activities, for the Agency secretariat is not empowered to do so.

9. As is well known to all the State parties, the meetings of the Agency's Board of Governors in December 1991 and again in February 1992 debated the issue of the applicability of "intelligence information" and "satellite photographs". But at those meetings, the idea of applying such information was voted down by the non-nuclear-weapon States parties of the third world, as any application of such information would be likely to legalize the Agency's interference in the internal affairs of the State parties.

10. Nevertheless, the IAEA secretariat has openly applied the forged "intelligence information" and "satellite photographs" provided by a third State party to its inspections in the Democratic People's Republic of Korea.

11. The IAEA secretariat created suspicions about the nuclear activities of the Democratic People's Republic of Korea by screening the slide film of the forged "satellite photographs" at the informal session of the Board of Governors on 22 February 1993, and, subsequently, on 25 February, engineered a "resolution calling for special inspections" in the Democratic People's Republic of Korea through the Agency's Board meeting.

12. The Democratic People's Republic of Korea could never allow its security to be jeopardized by the IAEA secretariat, which joined a big power in the latter's espionage acts through the Agency's leverage of inspections, rather than perform inspections under the Agency's Statute and the Safeguards Agreement.

III. INSPECTIONS OF THE "TWO SITES"

13. Inspections of the "two sites" called for by the IAEA secretariat have no relevance whatsoever to the nuclear facilities of the Democratic People's Republic of Korea, but are aimed at its conventional military sites, which are exempt from the Agency's inspections.

14. One of the "two sites" referred to by the IAEA secretariat was confirmed to be a military site in September 1992 by the third team of Agency inspectors through their inspections arranged at the request of the IAEA Director General. This notwithstanding, on 22 December 1992, the Director General asked the

Democratic People's Republic of Korea for access to the two military sites, including the already inspected one, where the Agency intended to drill and take samples. Military installations have been built in the Nyongbyon area for the defence of the nuclear facilities there. Any demand for the opening of these sites is tantamount to demanding the Democratic People's Republic of Korea to disarm itself.

15. Although the Democratic People's Republic of Korea is obligated to accept inspections by IAEA under the Safeguards Agreement, it is not duty-bound at all to open even military sites for inspection, and the IAEA secretariat is not entitled, in its rights, to inspect military sites of the States parties.

IV. THE "SPECIAL INSPECTIONS"

16. The IAEA secretariat manoeuvred the Agency's Board meeting on 25 February 1993 into passing a Board "resolution" calling on the Democratic People's Republic of Korea to accept "special inspections" over the so-called "inconsistencies" and the "two sites".

17. This was a flagrant violation of the sovereignty of the Democratic People's Republic of Korea and a provocative act aimed at disarming the Democratic People's Republic of Korea. Therefore, the Democratic People's Republic of Korea took the self-defensive measure on 12 March 1993 of declaring its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons, in order to safeguard its supreme interests.

V. INSPECTIONS FOR CONTINUITY OF SAFEGUARDS

18. The concept of inspections for the continuity of safeguards is an inspection regime which the Democratic People's Republic of Korea has permitted as a goodwill measure after its declaration of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons, and the United States of America and the IAEA secretariat have both agreed to this inspection regime.

19. The Democratic People's Republic of Korea accepted in May and August 1993 teams of Agency inspectors for the purpose of reloading and servicing the surveillance devices the Agency has installed at its nuclear facilities, and decided to accept IAEA inspections for the purpose of providing the continuity of safeguards, in line with its unique status based on its temporary suspension of the effectuation of its declared withdrawal from the Treaty and in accordance with the Democratic People's Republic of Korea-United States of America agreements of 29 December 1993, 25 February and 21 October 1994, and the Democratic People's Republic of Korea-IAEA agreement of 15 February 1994.

20. Despite these facts, the IAEA secretariat has distorted the truth in its reports to the meetings of the Agency's Board and General Conference of the United Nations and of the States parties to the Treaty, in declaring that the Democratic People's Republic of Korea is in "non-compliance" with the Safeguards Agreement.

21. The Democratic People's Republic of Korea's unilateral decision on the temporary suspension of the effectuation of its withdrawal from the Treaty was a policy commitment it had made to the United States at its talks with that country. It is on the basis of this policy commitment that the Democratic People's Republic of Korea has been permitting inspections by IAEA for the continuity of safeguards.

VI. THE DISCHARGE OF FUEL RODS

22. The Democratic People's Republic of Korea notified the IAEA secretariat beforehand of its plan to refuel the reactor core at the Experimental Atomic Power Plant on four occasions - 19, 26 and 29 April and 2 May 1994 - and even when the secretariat was trying to hinder the core discharging campaign, the Democratic People's Republic of Korea discharged the fuel rods on the principle of preserving the technical possibilities for their later measurement in conformity with its unique status based on the temporary suspension of the effectuation of its withdrawal from the Treaty.

23. The Democratic People's Republic of Korea's defuelling operation was conducted under surveillance by mechanical means, including the spent fuel rod counter, thermal luminescence detectors and monitoring cameras, and two IAEA inspectors were present at the site during the discharging operation.

24. In addition, the Democratic People's Republic of Korea held consultations with the delegation of IAEA in Pyongyang and Nyongbyon from 25 to 28 May 1994, discussing the method of preserving technical possibilities for later measurement of fuel rods at the site of the core discharging operation. At present the discharged fuel rods remain in the spent fuel storage ponds.

25. The Democratic People's Republic of Korea has also held consultations in Pyongyang with the United states on the safe storage of the spent fuel rods, as specified in the Agreed Framework between the Democratic People's Republic of Korea and the United States of America. These fuel rods now remain placed under IAEA surveillance.

VII. IMPLEMENTATION OF THE INSPECTION OBLIGATIONS UNDER THE AGREED FRAMEWORK

26. The Democratic People's Republic of Korea has been implementing in good faith its inspection obligations under the Agreed Framework signed at Geneva on 21 October 1994.

27. The Democratic People's Republic of Korea has already suspended the construction of its atomic power plants of 50 megawatt and 200 megawatt capacities, has neither reloaded fuel rods into the reactor at the Experimental Atomic Power Plant nor reprocessed the spent fuel rods, and has shut down operation of the Radiochemical Laboratory and Fuel Rod Fabrication Plant.

28. A precise implementation of the Agreed Framework will lead to the resolution of the nuclear issue on the Korean Peninsula in keeping with the

demands and expectations of all countries. Therefore, in the statement by the President of the Security Council of 4 November 1994 (S/PRST/1994/64), the Council "noted with satisfaction" the Agreed Framework between the Democratic People's Republic of Korea and the United States of America "as a positive step in the direction of denuclearizing the Korean Peninsula and maintaining peace and security in the region".

29. In line with the Agreed Framework recognized by the Security Council and by all countries, Democratic People's Republic of Korea and United States experts are now engaged in working-level consultations on the delivery of light-water reactors, the storage of the spent fuel rods, shipment of heavy oil and the establishment of liaison offices, and progress has been made in other fields as well. The Democratic People's Republic of Korea expects a precise implementation of the Agreed Framework, and believes that nothing should interfere with the implementation of the framework accord.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/13
28 March 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 23 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY ADDRESSED TO THE PROVISIONAL SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

On behalf of His Excellency Mr. László Kovács, Minister for Foreign Affairs of the Republic of Hungary, Chairman-in-Office of the Organization for Security and Cooperation in Europe, I have the honour to transmit herewith an excerpt from the Budapest Summit Declaration adopted on 6 December 1994 by the Heads of State and Government of the States participating in the Conference on Security and Cooperation in Europe (annex I), as well as the full text of chapter VI of the document of the Budapest Summit, entitled "Principles Governing Non-Proliferation" (annex II).

It would be highly appreciated if you could arrange to have the present letter and its annexes issued as an official document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(*Signed*) István NÁTHON
Ambassador
Permanent Representative

Annex I

BUDAPEST SUMMIT DECLARATION

Towards a Genuine Partnership in a New Era

1. We, the Heads of State or Government of the States participating in the Conference on Security and Cooperation in Europe, have met in Budapest to assess together the recent past, to consider the present and to look to the future. We do so as we approach the Fiftieth Anniversary of the end of World War II and the Twentieth Anniversary of the signing of the Helsinki Final Act, and as we commemorate the Fifth Anniversary of the fall of the Berlin Wall.

2. We believe in the central role of the CSCE in building a secure and stable CSCE community, whole and free. We reaffirm the principles of the Helsinki Final Act and subsequent CSCE documents. They reflect shared values which will guide our policies, individually and collectively, in all organizations and institutions to which we belong.

3. The CSCE is the security structure embracing States from Vancouver to Vladivostok. We are determined to give a new political impetus to the CSCE, thus enabling it to play a cardinal role in meeting the challenges of the twenty-first century. To reflect this determination, the CSCE will henceforth be known as the Organization for Security and Cooperation in Europe (OSCE).

4. The CSCE has been instrumental in overcoming barriers and in managing change throughout our region. Since we last met, there have been further encouraging developments. Most vestiges of the Cold War have disappeared. Free elections have been held and the roots of democracy have spread and struck deeper. Yet the path to stable democracy, efficient market economy and social justice is a hard one.

5. The spread of freedoms has been accompanied by new conflicts and the revival of old ones. Warfare in the CSCE region to achieve hegemony and territorial expansion continues to occur. Human rights and fundamental freedoms are still flouted, intolerance persists and discrimination against minorities is practised. The plagues of aggressive nationalism, racism, chauvinism, xenophobia, anti-semitism and ethnic tension are still widespread. Along with social and economic instability, they are among the main sources of crisis, loss of life and human misery. They reflect failure to apply the CSCE principles and commitments. This situation requires our resolute action. We must work together to ensure full respect for these principles and commitments as well as effective solidarity and cooperation to relieve suffering.

...

12. In view of the new threats posed by the proliferation of weapons of mass destruction, we have agreed on basic principles to guide our national policies in support of common non-proliferation objectives. We are strongly committed to the full implementation and indefinite and unconditional extension of the Treaty on the Non-Proliferation of Nuclear Weapons. We welcome the recent statements

by the four nuclear-weapon States in the CSCE region relating to nuclear testing as being consistent with negotiation of a comprehensive nuclear test-ban treaty. We urge that all signatories to the Convention on the Prohibition of Development, Production, Stockpiling or Use of Chemical Weapons and on their Destruction complete the ratification process in the shortest possible time. We also underline the importance of an early entry into force and implementation of the Treaty on Open Skies.

Annex II

VI

PRINCIPLES GOVERNING NON-PROLIFERATION

The participating States recall that in Prague on 30 January 1992 they reiterated their commitment to prevent the proliferation of weapons of mass destruction and to control the spread of missile technology. They also recall their declaration in the Helsinki Document of 10 July 1992 to take further steps to stop the proliferation of weapons of mass destruction and to intensify cooperation on a non-discriminatory and equitable basis in the field of effective export controls applicable to nuclear materials, and other sensitive goods and technologies as well as conventional arms.

I

The participating States strongly believe that the proliferation of weapons of mass destruction, and missiles to deliver them, poses a threat to international peace, security and stability and hereby affirm their commitment:

- to prevent the proliferation of nuclear weapons;
- to prevent the acquisition, development, production, stockpiling, and use of chemical and biological weapons;
- to control the transfer of missiles capable of delivering weapons of mass destruction and their components and technology.

II

In order to promote international peace, security and stability, the participating States undertake to enhance and strengthen existing norms against the proliferation of weapons of mass destruction. They seek to do so through the use of an entire range of measures available to address the proliferation issues, as well as through the broadest possible multilateral support. Therefore the participating States will:

Nuclear

- implement fully all their existing undertakings in the field of nuclear disarmament and arms control;
- endorse and encourage universal adherence to the NPT; in particular, the participating States that are still not parties to the NPT reiterate their pledge to accede to the NPT as non-nuclear-weapon States in the shortest time possible;
- agree that the NPT should be indefinitely and unconditionally extended;

- bring into force full-scope IAEA safeguards agreements as required by the NPT, including the right of the IAEA to conduct special inspections, thus strengthening the verification regime;

- support efforts to strengthen and streamline IAEA safeguards, in particular with a view to enhancing the Agency's capabilities to better detect clandestine nuclear weapons programmes;

- improve national nuclear export control policies by supporting and, where possible, strengthening the guidelines of the Zangger Committee and the Nuclear Suppliers Group, including the latter's controls on dual-use items;

- welcome the recent statements of France, the Russian Federation, the United Kingdom and the United States of America relating to nuclear testing and are convinced that these statements are consistent with the negotiation of a comprehensive nuclear test-ban treaty and support negotiation in the Conference on Disarmament of a universal and effectively verifiable Comprehensive Test Ban Treaty, as agreed by the Conference on Disarmament on 10 August 1993;

- support efforts for negotiating as soon as possible, in the Conference on Disarmament, a non-discriminatory, internationally and effectively verifiable multilateral treaty banning the production of fissile material for nuclear weapons.

Chemical and Biological

- adhere to the 1925 Geneva Protocol prohibiting the use in war of chemical and biological weapons (CBW);

- adhere to, and join efforts to strengthen, the Biological and Toxin Weapons Convention (BTWC), *inter alia*, by participating in the Ad Hoc Group established by the BTWC Special Conference 19-30 September 1994, to consider appropriate potential verification measures in order to develop a legally-binding regime to promote compliance with the Convention;

- pursue the achievement of universal adherence to the Chemical Weapons Convention (CWC), and participate in the work of the Preparatory Commission; in particular, the participating States that have not yet done so reiterate their pledge to sign and to seek early ratification of the Convention so that it may enter into force as soon as possible;

- review progress in this regard at the next Ministerial Council;

- support controls as agreed, in particular, in the Australia group, and introduce effective licensing and enforcement procedures covering the chemical weapons precursors lists within the existing control regimes, CW-related dual-use equipment, BW-relevant pathogens and BW-related dual-use equipment.

Missile Technology

- support the guidelines of the Missile Technology Control Regime (MTCR), undertake to control the export of missiles, technology and equipment in accordance with the guidelines and annex and encourage efforts with a view to interested participating States becoming adherents to the MTCR.

III

Furthermore each participating State will:

- take appropriate action to reflect the commitments in Section II in its legislation, regulations and procedures governing the non-proliferation of weapons of mass destruction and missiles capable of delivering them, relevant technology and expertise;

- promote international cooperative efforts to provide opportunities for weapons scientists and engineers to redirect their talents to peaceful endeavours, including through available institutional means;

- exchange information, *inter alia*, in the context of security dialogue within the Forum for Security Cooperation (including through seminars and working parties) about national laws, regulations and practical measures for ensuring application and implementation of non-proliferation regimes;

- take all appropriate action to prevent, within their constitutional and legislative means, their nationals from engaging in activities that do not conform to these principles concerning the non-proliferation of all types of weapons of mass destruction.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/14
6 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 27 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF INDONESIA ADDRESSED TO THE PROVISIONAL SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Permanent Representative of Indonesia to the United Nations, in his capacity as Chairman, Coordinating Bureau of the Movement of Non-Aligned Countries, has the honour to request that document NPT/CONF.1995/PC.III/13, which contains the views of the Group of Non-Aligned and Other States on substantive issues, be issued as an official document of the Conference.

(*Signed*) Nugroho WISNUMURTI

LETTER DATED 14 SEPTEMBER 1994 FROM THE HEAD OF THE DELEGATION OF INDONESIA ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMITTEE FOR THE 1995 CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, TRANSMITTING A DOCUMENT OF THE GROUP OF NON-ALIGNED AND OTHER STATES ON SUBSTANTIVE ISSUES

On behalf of the Group of Non-Aligned and Other States, I have the honour to submit to you a document, covering various aspects which are of paramount importance to the present as well as to the next Preparatory Committee meeting and to the 1995 NPT Review and Extension Conference.

It would be highly appreciated if you could take the necessary steps to include it as an official document of the Preparatory Committee meeting and at the same time to make it available to all NPT States Parties.

(signed) Agus Tarmidzi
Ambassador/Head of Indonesian Delegation

ANNEX

DOCUMENT ON SUBSTANTIVE ISSUES SUBMITTED BY INDONESIA ON BEHALF OF THE GROUP OF NON-ALIGNED AND OTHER STATES

1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was conceived as an instrument to prevent the proliferation of nuclear weapons. As part of this endeavor, States Parties which are Nuclear-Weapon States undertook "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control" and, at the same time, to promote the peaceful uses of nuclear energy.

2. During the negotiations of the NPT, the Non-Nuclear-Weapon States (NNWSs), particularly the developing countries, sought a fair balance in the Treaty between the mutual obligations and responsibilities of the NWSs and NNWSs which could successfully serve the interests of all States Parties. This possition was endorsed by resolution 2028 (XX) of the UN General Assembly. However, this was not fully realized at the time. Today, more than two decades later, the imbalances between the obligations and responsibilities have grown. There is a stalemate in negotiations aimed at redressing those imbalances, including negotiations in the NPT Review Conferences as well as the Conference on Disarmament.

3. The Non-Aligned Countries value the Non-Proliferation Treaty as a key instrument to channel international efforts to halt vertical and horizontal proliferation of nuclear weapons. Notwithstanding the important role of the Treaty in the maintenance of international security, it should be recognized that the Treaty has fundamental shortcomings that have become the bone of contention between NWSs and NNWSs Parties to the NPT ever since it came into being, thus eroding the perceived value of the Treaty.

4. The preparations for the NPT Conference in 1995 provide an exceptional opportunity towards the realization of the objectives enshrined in the Treaty. Substantive progress on the following areas will contribute to the successful outcome of the review and extension Conference of the NPT:

Nuclear Disarmament

5. The cessation of the nuclear arms race, nuclear disarmament and general and complete disarmament as a whole, continue to be the main objectives of the Treaty. The NWSs should reaffirm their commitment to the complete elimination of nuclear weapons.

6. A time-bound framework and a target date for the total elimination and the efforts by the NWSs to carry forward the process of de-emphasizing the role of nuclear weapons will create a strong political thrust towards international efforts to prevent proliferation of nuclear weapons. A statement by the Russian Federation and the United States indicating the bilateral measures they will take in the future in order to reduce their nuclear arsenals beyond the levels envisaged in the START I and II agreements, would also be a welcome initiative, together with an indication of the steps that China, France and the United Kingdom would be willing to take in light of the reductions referred to above.

Nuclear-Weapons-Free Zones

7. NWSs should abide and adhere to those international instruments that have established nuclear-weapons-free zones, and to support the initiatives taken by a State or States Parties with a view to establishing nuclear-weapon-free zones, freely arrived at among the States of the region concerned, particularly in the regions of the Middle-East and Africa.

8. Furthermore, deployment of nuclear weapons by NWSs on foreign territories, particularly in NNWs territories, should be prohibited as it negates the objectives of a nuclear-weapons-free zones. All States that have deployed nuclear weapons outside their boundaries should withdraw all those weapons back to their own territories.

Comprehensive Nuclear Test Ban

9. The conclusion of a Comprehensive Nuclear Test Ban Treaty (CTBT) remains one of the highest priority objectives of the international community and the fundamental pillar of an effective and comprehensive non-proliferation regime. All efforts towards the achievement of this objective, including the PTBT Amendement Conference, should be pursued. While the decision by the Conference on Disarmament to establish an *ad hoc* Committee with a negotiating mandate is welcome, a target date must be set to conclude the negotiations on a CTBT prior to the 1995 NPT Review and Extension Conference. The conclusion of a CTBT would decisively benefit the outcome of the said Conference. Pending the conclusion of such a Treaty, the nuclear-weapon States should suspend all nuclear testing.

Security Assurances

10. Pending the total and complete elimination of nuclear weapons, unconditional security assurances to the NNWSs has been regarded as one of the major concerns. In the context of an acceptable balance of mutual responsibilities and obligations, it is the primary right of States Parties to the NPT to be assured of non use and threat of use of nuclear weapons. Nuclear Weapons States Parties should agree to a legally binding instrument on this issue before the 1995 Conference. The CD should intensify negotiations with a view to concluding an international convention to assure non-nuclear-weapons States against the use or threat of use of nuclear weapons.

Fissile Material

11. A Treaty banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices would be a significant contribution to nuclear disarmament and nuclear non-proliferation provided that such a treaty is non-discriminatory, effectively verifiable and universally applicable, thus constituting a part of the comprehensive efforts to ban nuclear weapons and lead to their destruction.

Peaceful uses of Nuclear Energy

12. There continues to exist unjustified restrictions and constraints imposed on developing NNWSs regarding full access to nuclear technology for peacefuly purposes. Unilaterally enforced restrictive measures, beyond safeguards required under the Treaty, must not be used to prevent peaceful development, especially in the nuclear area, and should be removed.

13. The inalienable right of all States Parties to develop the peaceful use of nuclear energy for economic and social development must be reaffirmed by all nuclear and advanced non-nuclear States Parties. It is also essential that free and unimpeded access to technology be guaranteed, without exception, for all States Parties to the Treaty who have concluded relevant safeguards agreements with the IAEA.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/15
6 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 27 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF INDONESIA ADDRESSED TO THE PROVISIONAL SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Permanent Representative of Indonesia to the United Nations, in his capacity as Chairman, Coordinating Bureau of the Movement of Non-Aligned Countries, has the honour to request that document NPT/CONF.1995/PC.IV/4, containing the working paper entitled "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons: options and action available", be issued as an official document of the Conference (see annex).

(Signed) Nugroho WISNUMURTI

Annex

LETTER DATED 23 JANUARY 1995 FROM THE REPRESENTATIVE OF INDONESIA ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMITTEE FOR THE 1995 CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

On behalf of the Group of Non-Aligned and Other States, I have the honour to transmit a working paper entitled "NPT extension of the Treaty on the Non-Proliferation of Nuclear Weapons: Options and Action Available", covering points of the utmost importance to the present session as well as to the 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in New York, from 17 April to 12 May 1995.

This however does not preclude any member of the Group from expressing on its own behalf views it may deem appropriate, relating to procedural and substantive matters to be dealt with during the fourth session of the Preparatory Committee as well as during the 1995 Conference.

It would be highly appreciated if the present letter and its annex could be included as an official document of the Preparatory Committee meeting and at the same time be made available to all States parties to the Treaty.

(Signed) Izhar IBRAHIM
Ambassador/Head of the Indonesian delegation

APPENDIX

Indonesia*: working paper on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons: Options and Action Available

Introduction

1. The non-proliferation of nuclear weapons and their delivery vehicles in all its aspects is an issue of the highest priority in the field of disarmament and international security as envisaged in the final document of the Tenth Special Session of the General Assembly, the first special session on disarmament in 1978. The establishment of a genuine, truly universal and non-discriminatory nuclear non-proliferation regime will enhance the prospects of a better and more secure world free of nuclear weapons. Regional arrangements such as the 1959 Antarctic Treaty, the 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the 1985 Treaty of Rarotonga, the nearly completed instrument for Africa and others identified by the Final Document, particularly the establishment of a nuclear-weapon-free zone in the Middle East, constitute important steps towards the attainment of a nuclear-weapon-free planet.

2. In contrast to the treaties mentioned above which are of a permanent nature, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the only multilateral instrument of its kind, entered into force in March 1970 for an initial period of 25 years. The transitional nature of the NPT makes it unique among disarmament treaties. It reflects the intention of the parties to ensure the fulfilment of the purposes set out in the preamble and the effective implementation of its provisions, especially those contained in article VI. To achieve this, the NPT provides not only for the possibility of periodic review conferences (art. VIII (3)) but, more importantly, for a conference to be convened 25 years after its entry into force "to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties" (art. X (2)).

3. The provisions of article X (2) have been the object of several different and even conflicting interpretations. The present working paper has been prepared as a contribution to the discussion on this subject in the Preparatory Committee for the 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Options available

4. The contents of article X (2) make it clear that the parties are not asked to decide whether or not to extend the NPT but simply for how long. There are

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* On behalf of the Group of Non-Aligned and Other States.

three extension options available to them: (a) indefinite; (b) an additional fixed period; or (c) additional fixed periods. Article X (2) further provides that the decision on these options "shall be taken by a majority of the Parties to the Treaty". At first glance, therefore, the choice Parties must make appears rather straightforward. One simply musters a majority of NPT parties in favour of one of the options and the case is closed.

Decision-making

5. The history of the NPT negotiations and of its four review conferences reveals, however, the great importance its parties attach not only to the effective implementation of its provisions, but to any and all decisions relating to the Treaty itself. This is borne out by the agreements reached on the convening of the review conferences and their decision-making process as contained in the rules of procedure. Over the past 20 years the rules of procedure of the review conferences did not preclude the possibility of voting. The rule of consensus has however been applied to all aspects, procedural and substantive alike, regarding the NPT.

6. It would thus appear that if the Parties have in the past insisted on the rule of consensus they would also wish to apply it when deciding on the extension of the NPT. This should be the point of departure of the extension decision process, while not precluding the possibility of voting.

Purpose of the 1995 Conference and its preparation

7. In seeking to preserve and strengthen the NPT, its parties should examine together the implementation of the Treaty's provisions and discuss how best to ensure the realization of its fundamental purposes - the non-proliferation of nuclear weapons and their ultimate elimination. And this will not be achieved through procedural debates or interminable an lengthy legal arguments. To reduce the 1995 Conference to a series of legal wrangles would only serve to undermine the Treaty itself.

8. In order that the 1995 Conference result in a strengthened and effectively verifiable NPT regime, its parties should be convinced that its provisions will be fully realized and implemented and that it continues to serve their national security interests and the universal adherence is ultimately ensured. The attainment of this goal is the principal purpose of the conference. Anything less will be most unsatisfactory.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/16
11 April 1995
ENGLISH
ORIGINAL: FRENCH

New York, 17 April-12 May 1995

NOTE VERBALE DATED 29 MARCH 1995 FROM THE PERMANENT MISSION OF BENIN ADDRESSED TO THE SECRETARIAT OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Permanent Mission of Benin to the United Nations presents its compliments to the secretariat of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to attach a copy of the communiqué from the Minister for Foreign Affairs and Cooperation of Benin stating the views of the Government of Benin regarding the 1995 Conference of the Parties to the Treaty, which is to take place in New York from 17 April to 2 May 1995.

The Permanent Mission would be grateful if the secretariat would have the communiqué circulated as a document of the Conference.

ANNEX

Communiqué issued on 27 March 1995 by the Minister for Foreign Affairs and Cooperation of Benin regarding the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons which is to take place in April-May 1995

The Treaty on the Non-Proliferation of Nuclear Weapons, which was signed in 1968, will expire in April, 25 years after its entry into force.

The Treaty on the Non-Proliferation of Nuclear Weapons, to which Benin is a party as a non-nuclear-weapon State, is the cornerstone of the international nuclear security system.

It has been able to save the world from the risks inherent in proliferation, both vertical and horizontal, of weapons of mass destruction, despite the imperfections that could be identified, particularly with regard to its discriminatory nature.

The April 1995 Review Conference on the Treaty on the Non-Proliferation of Nuclear Weapons has as its mandate the review and extension of the Treaty.

Major differences of opinion exist regarding this mandate of the Conference, and the Preparatory Committee established by General Assembly resolution 47/52 A of 9 December 1992 held its fourth and final session without reaching consensus on the results to be expected of the Conference.

Nevertheless, the issues at stake are of vital importance to Benin, in that the very future of the world's nuclear security will depend on the outcome of the Conference.

Benin supports the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons, and insists on the strengthening of its provisions, particularly with respect to the verification regime, in order to make the Treaty a genuine international instrument for effective nuclear disarmament and for laying the foundations for more fruitful international cooperation in relation to the use of nuclear technology for peaceful purposes.

For this reason, it appeals to the nuclear Powers to speed up the conclusion of a comprehensive nuclear-test-ban treaty in order to help dissipate the legitimate fears that might be felt by some non-nuclear-weapon States.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/17
14 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 10 APRIL 1995 FROM THE DEPUTY DIRECTOR OF THE UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY ADDRESSED TO THE PROVISIONAL SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

To assist the work of the upcoming 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons I enclose a copy of the paper entitled "United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons". We hope this information will contribute to the work of the Review and Extension Conference, and we would be grateful if the information paper could be circulated as a document of the Conference.

(Signed) Ralph EARLE II
Deputy Director
United States Arms Control
and Disarmament Agency

Annex*

UNITED STATES INFORMATION PERTAINING TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

1995

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) entered into force on March 5, 1970. At that time the NPT had 45 parties. As of publication of this paper, 173 states are party to the Treaty, giving it the broadest support of any arms control agreement in history.

The NPT is the only internationally binding agreement that provides on a global basis a barrier to the spread of nuclear weapons. The operative articles of the Treaty reflect three principal objectives:

-- to stop the further spread of nuclear weapons,

- to provide a sound basis for international operation in the peaceful uses of nuclear energy,

-- to commit all parties to undertake negotiations in good faith on nuclear and non-nuclear arms control.

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[*] The present text has been reproduced as received, without formal editing.

I. PREVENTING THE FURTHER SPREAD OF NUCLEAR WEAPONS

Articles I and II of the NPT seek to prevent the further spread of nuclear weapons, thereby strengthening the security of all states. Under Article I the nuclear weapon states pledge not to transfer nuclear explosives to any other state and not in any way to assist non-nuclear weapon states to manufacture or otherwise acquire such devices. Under Article II 166 non-nuclear weapon states pledge not to acquire nuclear explosive devices or to seek or receive assistance in the manufacture of nuclear explosives.

Article III requires the non-nuclear weapon states parties to accept International Atomic Energy Agency safeguards on all of their peaceful nuclear facilities. These safeguards, called fullscope safeguards, provide necessary assurance that nuclear materials in non-nuclear weapon states are not diverted from peaceful purposes to the manufacture of nuclear explosives. Confidence in nonproliferation assurances, reinforced by IAEA safeguards, is a necessary condition for peaceful nuclear cooperation as enumerated in Article IV of the Treaty.

Article I: The Non-Proliferation Commitment

The United States has not transferred nuclear weapons; nor has the United States assisted or encouraged any non-nuclear weapon state to manufacture or otherwise acquire nuclear explosive devices. United States law, policy, and regulations are intended to prevent anyone in the public or private sectors from transferring nuclear explosive devices to any state or assisting any non-nuclear weapon state to build or acquire a nuclear explosive device.

The United States has established and implemented a comprehensive system of export controls for both nuclear and dual-use items and technology that could be used for nuclear explosive purposes. This system of export controls is designed to ensure US compliance with obligations under Article I of the NPT.

Article II: The Commitment Not to Acquire Nuclear Weapons

The United States has fully supported several important actions taken by the international community to enforce compliance with the obligation of non-nuclear weapon states party to the NPT not to acquire nuclear weapons. These actions include: United Nations Security Council Resolution 687 of April 3, 1991; the January 31, 1992 statement of the President of the Security Council, following the conclusion of the first Security Council summit meeting; the request by the IAEA Board of Governors for special safeguards inspections in the Democratic Peoples Republic of Korea in 1993; and Security Council responses to the report by the Director General of the IAEA regarding DPRK's noncompliance with the request for special inspections.

UNSC Resolution 687(1991) requests the IAEA to carry out extensive inspections of Iraq's declared nuclear facilities as well as others designated by the Special Commission (UNSCOM).

Prime Minister John Major of the United Kingdom, acting as President of the Security Council, issued a statement on January 31, 1992 on behalf of the heads of state participating in the Security Council Summit meeting. The statement includes the following: "On nuclear proliferation, they note the importance of the decision of many countries to adhere to the Non-Proliferation Treaty and emphasize the integral role in the implementation of that Treaty of fully effective IAEA safeguards, as well as the importance of effective export controls. The members of the Council will take appropriate measures in the case of violations notified to them by the IAEA."

In UNSC Resolution 825(1993) the Security Council called on the DPRK to honor fully its safeguards agreement with the IAEA. In the Agreed Framework between the United States of America and the Democratic People's Republic of Korea, October 21, 1994, the United States and the DPRK agreed on measures to resolve the nuclear issue on the Korean Peninsula.

Article III: IAEA Safeguards and Nuclear Exports

A. IAEA Safeguards

IAEA safeguards accomplishments and challenges

Pursuant to Article III, the IAEA applies comprehensive safeguards to ensure that nuclear material in non-nuclear weapon state parties is used solely for non-explosive purposes. This system has demonstrated its value and effectiveness through 25 years of experience in support of the NPT. By providing a high degree of confidence that nuclear material is used only for non-explosive purposes, the IAEA safeguards system provides an indispensable basis for nuclear cooperation.

This essential accomplishment of IAEA safeguards has been recognized by previous NPT Conferences, for example, the conviction expressed by the Third Review Conference that "IAEA safeguards provides assurance that states are complying with their undertakings and assist states in demonstrating this compliance." This is clearly the case when IAEA safeguards are provided adequate resources and support, as demonstrated by the sustained high level of effectiveness achieved through inspection goal attainment for unirradiated direct-use material (plutonium and highly enriched uranium).

The record of 25 years of safeguards in support of the NPT has demonstrated that the vast majority of NPT parties faithfully fulfill their non-proliferation commitments. Nonetheless, the Conference (Main Committee II at the Fourth Review Conference) correctly recognized that questions could arise about compliance with the non-proliferation undertakings and urged the IAEA in such situations to make full use of its rights for special inspections. Since the 1990 NPT Review Conference, the IAEA has found two states, Iraq and North Korea, to be in non-compliance with their safeguards agreements concluded under Article III of the NPT. In the case of Iraq, safeguards violations resulted both from undeclared activities at a declared location and from clandestine activities at separate locations that should have been declared to the IAEA and placed under safeguards but were not. These events have given rise to an extensive IAEA reexamination of means to strengthen the NPT safeguards system, particularly ways to detect undeclared activities.

Recent years have seen considerable expansion in the number and scope of facilities and quantities of nuclear material subject to IAEA safeguards under the NPT (100 safeguards agreements with non-nuclear weapon state parties, including 47 having significant nuclear activities, at the end of 1993 compared to 86 agreements, including 42 with states having significant nuclear activities, at the end of 1990). Implementation of NPT safeguards in several states with pre-existing nuclear programs (such as North Korea, South Africa, and Kazahkstan) and the need to verify the accuracy and completeness of such states' initial nuclear material inventories have posed a particular challenge to the IAEA. The dissolution of the Soviet Union has provided the further challenge of additional sophisticated nuclear facilities becoming subject to safeguards without an increase in the financial resources available to the IAEA.

These challenges occurred in the midst of a period of zero-real-growth budgets which began in the early 1980s but which has seen increases in the scope and complexity of IAEA safeguards. In 1993 the IAEA carried out over 2000 inspections at 1022 installations that were under safeguards or contained safeguarded materials, including a wide variety of advanced facilities such as enrichment plants, reprocessing plants, and mixed oxide fuel fabrication facilities.

The IAEA is responding to these challenges in a variety of ways, including:

- greater cooperation and assistance by member states to enable the IAEA to implement safeguards effectively and efficiently, including introduction of advanced safeguards techniques and instrumentation (with the New Partnership Approach with EURATOM of particular note);
- greater dependence on Member States Support Programs (MSSP) and other extrabudgetary contributions to carry out long-term research and development and to acquire equipment and personnel (in the form of cost free experts) which cannot be otherwise obtained due to shortfalls in the regular budget; and
- initiation of Programme 93+2 to investigate means to further increase efficiency and effect cost-savings and to strengthen the IAEA's capability to detect nuclear activities which should be subject to safeguards but which have not been declared.

The responsiveness of the IAEA to the instances and risks of undeclared nuclear activities provides confidence that the IAEA safeguards system can successfully meet these challenges. The steps already taken, through such measures as verification of the completeness of initial reports, the introduction of new techniques such as environmental monitoring, arrangements for early provision of information on new facilities and full use of all available information, show what can be accomplished with support by the member states. We are impressed by the work to date under Programme 93+2 and believe that the IAEA safeguards system can and will be strengthened to be able to provide meaningful assurance not only regarding the non-diversion of declared nuclear material but also regarding the obligation to declare all nuclear material in all peaceful nuclear activities.

United States support of IAEA safeguards

The United States has consistently been a strong and active supporter of IAEA safeguards, providing extensive political, financial, and technical assistance. In 1977 the U.S. established the first Member State Support Program for IAEA safeguards, and the U.S. continues to be the largest single source of extrabudgetary funding and support for the IAEA Department of Safeguards. Since 1990, the U.S. has voluntarily contributed over $40 million to IAEA safeguards, with a total voluntary contribution of over $90 million since 1977. Since the last NPT Conference, during the years 1991 through 1994, the United States provided an average funding of $7.6 million annually for its Program for Technical Assistance to IAEA Safeguards (POTAS). The major contribution of POTAS was the provision of cost-free-experts (CFEs) for which about 46% of the support was expended. During the past five years the U.S. has provided the equivalent of an average of 25 full-time CFEs per year to the IAEA. Other significant support was provided in areas of equipment (26%) and techniques and procedures (13%).

In addition to POTAS, the U.S. Support Program (USSP) includes the Department of Energy International Safeguards Program and technical support activities of the Department of State, Department of Defense, the Nuclear Regulatory Commission and the Arms Control and Disarmament Agency.

The USSP has contributed in many ways to the development and implementation of IAEA safeguards, including research and development on equipment, instrumentation and safeguards approaches; system studies; staff and inspector training; information systems development; and procurement, maintenance, and deployment support. The U.S. also provides technical experts loaned to the IAEA without charge. In addition, in the last several years the USSP has played a particularly important role in meeting IAEA requests for special technical assistance related to verification of initial inventory reports. The U.S. has also made significant financial contributions to the replacement of obsolete safeguards equipment and the introduction of new surveillance equipment.

Since 1993, the USSP has been particularly active in supporting IAEA Programme 93+2 requirements, especially its aspects related to Task 2 (assessment of potential cost saving measures); Task 3 (environmental monitoring for safeguards); Task 5 (improved analysis of information on states' nuclear activities); and Task 6 (enhanced safeguards training). The activities of the U.S. Support Program are described in greater detail in Appendix A of this paper.

IAEA safeguards in the U.S.

In 1980, the United States concluded a voluntary offer safeguards agreement with the IAEA. Under this agreement, the IAEA has the right to apply safeguards to all nuclear material in all U.S. nuclear facilities, excluding only those associated with activities having direct national security significance. The list of eligible facilities provided to the IAEA includes some 240 private and government-owned nuclear facilities. Since 1980, the IAEA has applied safeguards in the U.S. at the five power reactor fuel fabrication facilities, six power reactors and two storage sites. Furthermore, under a protocol to the agreement, all U.S. commercial fuel fabrication facilities provide reporting of their nuclear materials inventory on the same basis as if they were selected for safeguards inspections.

By submitting U.S. facilities to IAEA safeguards, the United States has sought to encourage wider acceptance of the NPT by demonstrating that NPT adherence and acceptance of IAEA safeguards are not impediments to commercial nuclear activities.

In September 1993, President Clinton announced that the U.S. would subject to IAEA inspections under the U.S./IAEA safeguards agreement fissile materials in excess of U.S. defense needs. The purposes of this offer are to provide assurance to the international community regarding the irreversibility of the nuclear disarmament process, to provide a concrete demonstration that the U.S. is fulfilling its commitments under Article VI of the NPT, and to show U.S. willingness to expand the scope of IAEA safeguards in the U.S. This offer is also meant to encourage other nuclear weapon states to follow suit and to provide further impetus for the expansion of IAEA safeguards worldwide.

To fulfill this offer, the U.S. is adding several facilities to the list of U.S. facilities eligible for the application of IAEA safeguards. The first such facility is a storage vault at the Oak Ridge Y-12 Plant which contains highly enriched uranium that was formerly part of the U.S. defense program. IAEA safeguards on this material commenced in September 1994. The design information verification and initial inventory verification at the Y-12 plant were completed in September 1994. Subsequently, the United States placed the Hanford plutonium storage vault at the Hanford Reservation in the State of Washington under IAEA safeguards. The IAEA completed its initial inventory of the excess plutonium at this facility in December 1994. The United States plans to add the plutonium storage vault at the Rocky Flats Plant near Golden, Colorado to the list in the near future, with IAEA inspections beginning in the first half of 1995.

Transparency of U.S. nuclear defense activities

The United States has also taken other steps to increase significantly the transparency of its nuclear defense activities. In briefings during December 1993 and June 1994, Secretary of Energy O'Leary disclosed the total amount of plutonium and highly enriched uranium produced by the U.S. for defense purposes between 1945 and 1991, as well as locations and site specific inventories. In addition, Secretary O'Leary and Russian Minister of Atomic Energy Mikhailov agreed in March 1994 to begin exchange visits aimed at increased transparency in the nuclear disarmament process. The first step in this process was reciprocal familiarization visits which took place in July 1994 at Rocky Flats in the U.S. and in August 1994 at Seversk in Russia. The objective of these visits was to demonstrate measures for confirming that containers stored at those facilities contained plutonium removed from nuclear weapons.

In addition, at the Summit meeting on January 14, 1994, Presidents Yeltsin and Clinton issued a joint statement on the non-proliferation of weapons of mass destruction and the means of their delivery and agreed that the two countries would establish a working group to consider:

- including in their voluntary IAEA safeguards offers all source and special fissionable materials, excluding only those nuclear materials and facilities associated with activities having direct national security significance; and
- steps to ensure transparency and irreversibility of the process of reduction of nuclear weapons, including the possibility of putting a portion of fissionable material under IAEA safeguards, with particular attention given to materials released in the process of nuclear disarmament and steps to ensure that these materials would not be used again for nuclear weapons.

An initial meeting of the working group called for in the joint statement was held in Moscow in May 1994, and agreement was reached on initial steps to carry out the work called for in the joint statement.

At the September 28, 1994 Summit meeting the two Presidents agreed to work together to develop broad bilateral and multilateral cooperation on assuring nuclear security, including:

- preventing illegal trade in nuclear materials and strengthening the regime of control and physical protection of such materials;
- exchanging information on stocks of fissile materials and on their safety and security; and
- improving confidence in and increasing the transparency and irreversibility of the process of reducing nuclear weapons.

As a result of these Summit meetings. a joint U.S.-Russian Safeguards, Transparency and Irreversibility (ST&I) Group was formed to pursue initiatives aimed at achieving these broad objectives.

Safeguards financing

The cost of implementing safeguards is a very small fraction of the overall operating costs of nuclear facilities. All member states contribute to the IAEA safeguards budget, which accounts for approximately a third of the total IAEA budget. Under a special safeguards financing formula, due to expire in 1995, most member states are shielded from increases in the safeguards budget.

Since the early 1980s the IAEA has carried out its functions under essentially zero-real-growth budgets. The IAEA has been able to do so while improving both the quality and scope of safeguards implementation and to meet the new challenges described earlier, through greater efficiency in resource allocation, by reducing or eliminating lower priority programs, and by increasing dependence on voluntary contributions for technical development, equipment, and support personnel. The United States has encouraged and continues to encourage such improvements in efficiency. Where the United States has identified, on a case-by-case basis, acute funding shortfalls for specific activities, it has made extrabudgetary financial contributions to enable IAEA to fulfill required tasks. However, this short-term, interim measure does not facilitate effective or efficient medium-to long-term program planning and implementation by the IAEA. As the IAEA's 1996 budget leaves several important safeguards activities unfunded, it is clear the IAEA has reached the point where additional efficiencies are not by themselves sufficient to permit applying safeguards to additional facilities and strengthening the safeguards system to detect undeclared activities, while maintaining overall safeguards effectiveness for declared materials.

B. Nuclear Exports and NPT Article III.2

The United States continues to support strongly the work of the NPT Exporters Committee, known as the Zangger Committee, in its efforts to develop and apply a consistent interpretation of Article III.2 of the NPT, which calls for the application of IAEA safeguards on nuclear exports to non-nuclear weapon states. The Zangger Committee helps to ensure that NPT supplier nations apply uniform rules for international nuclear trade and that all assistance to nuclear activities in non-nuclear weapon states is provided under appropriate safeguards and other nonproliferation conditions. We encourage all NPT parties to support the work of this Committee.

The United States believes the Zangger Committee should continue to keep its trigger list under review to take into account advances in nuclear technology and other developments which may have proliferation significance. We encourage Committee members to consider ways to strengthen further the implementation of NPT Article III.2, including expanding Committee membership to include all major NPT nuclear supplier countries.

Major steps have been taken by supplier countries since the 1990 Review Conference to harmonize international trade in nuclear-related commodities and technology and to enhance the ability of supplier countries to attain their mutually shared nonproliferation objectives. The 30 members of the Nuclear Supplier Group (NSG) have adopted a policy of requiring fullscope safeguards as a condition for nuclear supply; have implemented export controls on significant nuclear-related dual-use items and technology; and have agreed not to transfer nuclear or nuclear-related items to any country unless they are satisfied that the transfers would not contribute to the proliferation of nuclear weapons or other nuclear explosive devices.

The United States urges all NPT parties which are current or potential nuclear suppliers to adhere to the NSG Guidelines (INFCIRC/254/Parts 1 and 2) and to incorporate into their domestic export control regulations the principles and conditions of supply contained in these Guidelines.

Article VII: Regional Arrangements

Article VII of the NPT states: "Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories."

Pursuant to Article VII and in accordance with its overall non-proliferation policy, the United States believes that the creation of nuclear weapons free zones, under appropriate conditions, can contribute to regional and global security. These conditions include:

--- the initiative for the creation of the nuclear weapons free zones comes from the states in the region concerned;

--- all states whose participation is deemed important participate in the zone;

--- the zone arrangement provides for adequate verification of compliance with the zone's provisions;

--- the establishment of the zone does not disturb existing security arrangements to the detriment of regional and international security;

--- the zone arrangement effectively prohibits the parties from developing or otherwise processing any nuclear explosive devices for whatever purpose;

--- the zone arrangement does not seek to impose restrictions on the exercise of rights recognized under international law, particularly the principle of freedom of navigation on the high seas, in international air space, and in straits used for international navigation and the right of innocent passage through territorial seas; and

--- the establishment of the zone does not affect the existing rights of its parties under international law to grant or deny transit privileges, including port calls and overflights, to other states.

Latin American Nuclear Weapons Free Zone

The United States strongly supports the Treaty of Tlatelolco, which establishes Latin America as a nuclear weapons free zone. The United States has signed and ratified both Protocols to this Treaty, thereby pledging not to store or deploy nuclear weapons in territories within the zone for which the United States is internationally responsible, and not to use or threaten to use nuclear weapons against the Latin American states for whom the Treaty is in effect, and not to store, install, or deploy nuclear weapons in the territory of any such state. Pursuant to US obligations under Protocol I, the U.S.-IAEA agreement on safeguards in connection with the Treaty of Tlatelolco was signed and entered into force in 1989.

The United States takes very seriously its obligations under the two Protocols to the Treaty of Tlatelolco. It also encourages all eligible states that have not done so to take the steps necessary to bring the Treaty fully into force.

South Pacific Nuclear Free Zone

The Treaty of Rarotonga, which entered into force in 1986, establishes the South Pacific Nuclear Free Zone (SPNFZ). The United States is currently reviewing its position on SPNFZ in the context of its nonproliferation policy; however, U.S. activities in the region are not inconsistent with the Treaty's provisions.

Antarctic

The Antarctic Treaty of 1959 establishes an international regime for excluding nuclear explosive devices from the continent of the Antarctic. The United States continues to conduct all of its activities in the Antarctic in complete compliance with the terms of the Treaty.

Other Areas

The United States has supported proposals to establish effective nuclear weapons free zones in Africa, the Middle East, Southeast Asia, and South Asia.

Article IX: Adherence

The United States has a long-standing policy of strongly encouraging all countries to join the NPT and, accordingly, has actively promoted additional adherence to the Treaty. Since the Fourth Review Conference in 1990 37 states have acceded to the Treaty. These states include the following: Albania, Algeria, Argentina, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, People's Republic of China, Croatia, Czech Republic, Eritrea, Estonia, France, Georgia, Guyana, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Republic of Marshall Islands, Mauritania, Moldova, Monaco, Mozambique, Myanmar, Namibia, Niger, St. Kitts and Nevis, Slovakia, Slovenia, South Africa, Tanzania, Turkmenistan, Ukraine, Uzbekistan, Zambia, and Zimbabwe.

II. FOSTERING THE PEACEFUL USES OF NUCLEAR ENERGY

Article IV: Nuclear Energy for Peaceful Purposes

Introduction

All NPT parties have the inalienable right to research, develop, produce, and use nuclear energy for peaceful purposes as stated in Article IV of the Treaty. Article IV further calls upon all parties to "facilitate... the fullest possible exchange of equipment, materials, and scientific and technological information" for such purposes. Finally Article IV calls for the development of applications for peaceful nuclear energy, especially in non-nuclear weapon states and with "due consideration to the developing areas of the world."

Peaceful Uses of Nuclear Energy and Nuclear Technology

The varied adaptations of nuclear technology have made significant contributions toward an improved quality of life in many nations.

There are over 420 nuclear power reactors worldwide with a capacity of approximately 330 GW(E). Also, there are 97 nuclear power reactors under construction with an additional 60 GW(E). Much of this commitment to nuclear power is centered in the most industrialized countries, but other NPT countries such as Bulgaria, Hungary, Republic of Korea, and Mexico are also producing electricity from nuclear reactors. Still others, such as Egypt, Indonesia, and Romania are continuing to move toward the use of nuclear power. Worldwide, in 1993, 22.4% of total electricity generation was produced by nuclear power plants.

Research reactors make significant contributions to scientific and technological development and provide access to many benefits of nuclear technology. There are currently over 320 research reactors worldwide. More than 80 developing countries, party to the NPT, have acquired research reactors (27 were provided by the United States). Other parties are establishing nuclear scientific infrastructures to apply nuclear technologies to meet national development programs.

Nuclear and isotopic techniques have been used to study natural processes since the late 1940s. These techniques have been applied to the development of analytical tools, including tracer methods in medicine, neutron activation analysis, x-ray fluorescence, and atomic absorption spectrometry. They have been used to study environmental pollutants, to solve human health problems (such as cancer), to assist in accessing water and mineral resources, to help preserve food, and to improve the quality and reliability of agricultural and manufactured products.

U.S. Cooperation: NPT Preference

The NPT creates an irreplaceable framework for expanding peaceful nuclear cooperation and provides assurances that NPT states will devote their nuclear programs exclusively to peaceful purposes. Because of these assurances, NPT parties receive special consideration and benefits in nuclear cooperation. The United States has long had a policy to ensure that NPT states receive the most favorable treatment possible as they pursue the peaceful benefits of nuclear energy. Other nuclear suppliers have now taken a comparable stance by making acceptance of safeguards on all nuclear activities, fullscope safeguards, a condition for nuclear cooperation. The acceptance of IAEA safeguards by NPT parties removes obstacles to nuclear cooperation. This policy ensures, moreover, that states outside of the NPT, or other comparable agreements, without fullscope safeguards will not benefit from nuclear cooperation and trade on terms as favorable as those accorded to NPT parties.

Since 1978 all new or amended Agreements for Cooperation with non-nuclear weapon states entered into by the United States have been with parties to the NPT or the Treaty of Tlatelolco.

U.S. has Agreements for Cooperation with EURATOM and with the following individual NPT or Tlatelolco parties:

Argentina
Australia
Austria
Bangladesh
Brazil
Canada
Czech Republic
China
Colombia
Egypt
Finland
Hungary
Indonesia
Japan
Korea, Republic of
Morocco
Norway
Peru
Philippines
Poland
Portugal
Slovakia
South Africa
Spain
Sweden
Switzerland
Thailand

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In 1990-1994, all U.S. exports of enriched uranium (totalling almost 6,258 tonnes) were to NPT parties.

The following countries have sister laboratory agreements with the United States: Mexico, Peru, Morocco, and Egypt. Agreements with Ghana, Malaysia and Thailand are being finalized, and others are being considered. When all the sister laboratory agreements are completed, the U.S. will have committed nearly $1 million to NPT parties or parties to the Treaty of Tlatelolco through this program.

Nuclear cooperation projects and assistance are tailored to particular countries' needs. The IAEA's technical assistance and cooperation programs focus primarily on projects and activities carried out by individual member states. These programs have been instrumental for states, particularly developing NPT countries, that seek to derive the benefits of nuclear energy in the fields of physical and chemical sciences, food and agriculture, industry and earth science, human health, radiation protection, nuclear power, safety of nuclear installations, nuclear fuel cycle, and radioactive waste management.

The United States has supported the following number of IAEA Technical Cooperation Projects in the following regions:

Latin America:	1124
Asia/Pacific:	1042
Africa:	851
Europe/Middle East:	732

The United States understands that many developing countries view technical assistance as the major benefit of NPT adherence. At the same time, there are valid concerns in these states that the growing safeguards demands on the IAEA not undercut either the budgetary or technical commitment to these cooperative programs. The United States supports the maintenance of an appropriate balance between safeguards and technical cooperation by providing support to improve the efficiency of safeguards and by supporting IAEA technical cooperation projects with financial and "in-kind" contributions.

The United States supports the Agency's technical cooperation activities in two principal ways. One is through contributions to the Technical Assistance and Cooperation Fund (TACF), the main fund for financing the Agency's "hardcore" technical cooperation activities. By longstanding practice, donor countries pledge voluntary cash contributions to the TACF at approximately the same percentage as their base rate to the IAEA regular budget. For the U.S., this rate is about 25% -

one which this country has continued to meet over the years. U.S. support to the TACF has been substantial, with over $79 million in contributions between 1958 and 1989. The U.S. contribution from the years 1990 through 1994 alone exceeded $60 million.

The United States customarily goes beyond these cash contributions to the TACF by providing additional voluntary support to a wide variety of Agency activities. These "extrabudgetary" contributions include the provision of experts, training, fellowships, and equipment necessary to implement specific projects. These projects (designated "Footnote A") have been judged technically worthwhile by the Agency, but cannot be funded from contributions to the TACF in a given year. U.S. voluntary assistance also includes sponsorship of an annual series of training courses held at Argonne National Laboratory; the provision of cost-free experts to the IAEA headquarters in Vienna for up to two years; and fellowships granted to outstanding foreign students and professionals to train in nuclear-related fields at leading U.S. institutions.

For the period 1990-1994, the U.S. funded Footnote A projects totaling $8 million. All of the recipient states are NPT adherents. Countries receiving Footnote A funding from the U.S. since 1990 include:

Bangladesh
Bolivia
Bulgaria
Cameroon
Colombia
Cote D'Ivoire
Ecuador
Egypt
El Salvador
Ghana
Greece
Guatemala
Hungary
Indonesia
Jamaica
Kenya
Korea, Republic of
Malaysia
Mexico
Morocco
Nigeria
Panama
Paraguay
Peru
Philippines
Poland
Portugal
Romania
Slovakia
Sri Lanka
Tanzania
Thailand
Uruguay
Venezuela
Zimbabwe

In addition to supporting projects in specific countries, the U.S. has also supported interregional projects and regional projects through the IAEA.

Model projects address major needs and have been designed and selected to result in significant lasting impact to the end users. Unlike Footnote A projects for which hardcore funding is not available, Model projects receive both hardcore and extrabudgetary funding. An example of a Model project that the U.S. has selected to support in 1994 is the establishment of a

National Radiotherapy and Nuclear Medicine Network in Ghana. The U.S. is also supporting Model projects that will upgrade radiation protection infrastructures and improve radioactive waste management.

The United States has supported outstanding students from many countries to come to study in the U.S. through the IAEA fellowship program. In cases where the training is in connection with a U.S. supported Footnote A or Model Project the United States provides the administrative support necessary to place fellows and also provides stipends and travel expenses. Since 1990 over $7.6 million has been invested to support the effort, with participants from the following countries:

Bangladesh
Bolivia
Bulgaria
China
Colombia
Costa Rica
Cyprus
Czech Republic
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Ghana
Greece
Guatemala
Hungary
Indonesia
Jordan
Kenya
Republic of Korea
Malaysia
Mali
Mauritius
Mexico
Mongolia
Morocco
Nigeria
Panama
Peru
Philippines
Poland
Portugal
Romania
Saudi Arabia
Senegal
Sri Lanka
Sudan
Syria
Tanzania
Thailand
Turkey
Uganda
Ukraine
Uruguay
Venezuela
Zaire
Zambia
Zimbabwe

Extrabudgetary funds also pay for experts to work at IAEA headquarters in Vienna, for U.S.-hosted interregional training courses, and for cooperative research programs through the IAEA.

For the last fourteen years all recipients of the annual U.S. gifts of special nuclear material to the IAEA have been NPT parties. For the period 1990-1994 the U.S. has provided $100,000 worth of nuclear material. A total of over $1.4 million has been given to the IAEA for designated NPT members since 1970. These countries include:

Austria
Colombia
Finland
Greece
Indonesia
Iran
Malaysia
Mexico
Morocco
Norway
Philippines
Romania
Spain
Thailand
Turkey
Uruguay
Venezuela
Vietnam
Zaire

NPT Parties have also been the beneficiaries of other efforts to share U.S. nuclear technology, expertise, and experience, including:

> PhD training of almost 4,000 foreign nationals from more than 80 other NPT countries in nuclear physics, nuclear chemistry and nuclear engineering between 1974 and 1995.
>
> Certification of medical doctors in NPT countries, from all regions of the world, in nuclear medicine by the American Board of Nuclear Medicine; attendance by others at the FAO/IAEA special training course on the use of radioisotopes and radiation in entymology. (The total number of certifications issued over the life of the NPT is 764 from 74 countries.)

The U.S. Nuclear Regulatory Commission (NRC) and Department of Energy (DOE) have further assisted NPT parties in peaceful nuclear development by performing technical training missions overseas and hosting foreign visitors at DOE and NRC facilities. During the past two decades, the NRC has received nearly 300 foreign assignees and visitors. Since 1980, over 200 NRC staff members have traveled to developing countries on technical assistance missions, offering their support on nuclear regulatory and safety matters. Since 1986, nearly 54,000 scientists and engineers from numerous developing countries party to the NPT have visited DOE facilities to receive training in the peaceful uses of nuclear energy, and over 45,000 DOE specialists have performed technical assistance missions overseas. Students from countries party to the NPT received training at IAEA courses held at various Department of Energy laboratories between 1990-1995. The costs of these courses were funded by the United States.

Preferences in Policy and Law

The U.S. exercises considerable discretion in the expenditure of its extrabudgetary contributions to the IAEA and gives preferential treatment in the allocation of these resources, including selection of participants, to states party to the NPT or that have undertaken comparable nonproliferation commitments, for example, through adherence to the Treaty of Tlatelolco.

U.S. preference for NPT parties and other countries with fullscope safeguards is also reflected in U.S. policy, law, regulations, and practice concerning commercial supply.

The U.S. Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act (NNPA) of 1978, requires states to have all of their peaceful nuclear facilities under IAEA safeguards (fullscope safeguards) in order to receive U.S. exports of fissionable materials, reactors, and major reactor components. The NNPA further requires fullscope safeguards as a condition in any new or amended agreements for cooperation with non-nuclear weapon states. Therefore, all new or amended Agreements for Cooperation in the peaceful uses of atomic energy entered into by the United States with non-nuclear weapon states since 1978 have been with states that are parties to the NPT and/or the Treaty of Tlatalelco.

To provide greater assurances of supply, the ceilings on low enriched uranium transfers under U.S. Agreements for Cooperation have been removed legislatively for NPT parties. This permits the timely and efficient supply of additional power reactor fuel to NPT parties.

Special preferences in the licensing of nuclear-related exports have been made for NPT parties and other states having IAEA safeguards on their entire civil nuclear programs. For example:

> As a policy matter, expedited consideration is given for the export of so-called nuclear-related "dual-use" equipment and technology.
>
> NPT parties have been designated by the Nuclear Regulatory Commission (NRC) as eligible to receive exports of nuclear reactor components under a general license (thus eliminating the need to apply for a specific license for each export).
>
> The NRC has issued general licenses for the export of limited quantities of nuclear material to NPT parties.
>
> The Department of Energy (DOE) takes the NPT status of recipient countries into consideration in authorizing exports of nuclear technology, services, and equipment governed by its regulations.
>
> NPT parties benefit from a DOE general authorization that permits the transfer of non-public, unclassified nuclear technology in fields ranging from mining, milling, and fuel fabrication to reactor design, construction and operation.

In crucial areas of financing, U.S laws governing participation in international financial institutions instruct the U.S. representative to consider whether the recipient is a party to the NPT.

This record reflects the continued strong U.S. commitment to fulfill its obligations under Article IV of the NPT. The record is consonant with the spirit and vision that parties to the Treaty should obtain advantages over non-parties.

Article V: Nuclear Explosions for Peaceful Purposes (PNEs)

Article V of the NPT provides that under appropriate international observation and through appropriate international procedures the potential benefits from peaceful applications of nuclear explosions will be made available to NPT non-nuclear weapon states on a non-discriminatory basis. The United States has determined that PNEs are not technically or economically worthwhile undertakings, and, in addition, regards such explosions as indistinguishable from military tests. Since 1973 the United States has not conducted any PNEs.

III. NEGOTIATIONS IN GOOD FAITH ON NUCLEAR AND NON-NUCLEAR ARMS CONTROL

Article VI: Ending the Nuclear Arms Race, Disarmament

The NPT is an important factor in efforts to reach arms control agreements, in two ways. First, the NPT serves as a legal barrier to the spread of nuclear weapons. As such, it is a critical element in sustaining arms control progress. Second, according to Article VI of the Treaty, each of the parties to the Treaty "undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

The United States attaches great importance to its obligations under Article VI, recognizing also that arms control progress that strengthens international stability and security also serves the security interests of the United States.

Since the NPT entered into force, in 1970, the United States has pursued negotiations on a broad front of arms control measures, some in the nuclear area, some in areas of other weapons of mass destruction, and some in the conventional area. Progress on arms reductions in the past five years has been unprecedented. For example, the START Treaty, which has entered into force, is already sharply reducing the number of nuclear delivery systems and warheads. Since the 1990 NPT Review Conference these negotiations, most of which had been underway for some time, have yielded major steps forward. In addition to concluding arms control agreements during this five-year period, the United States has taken various unilateral measures to further restrict the deployment and development of nuclear weapons and, together with the Soviet Union, fully implemented an agreement, the Intermediate Nuclear Force Treaty that eliminated an entire class of nuclear delivery systems.

As a result:

--- The nuclear arms race has ended.

--- Significant progress has been made on controlling chemical and biological weapons.

--- Major steps have been taken to reduce and control conventional forces and through controls and confidence and security building measures to reduce the danger of major war breaking out.

The United States has participated in the negotiation of the following arms control agreements and security documents since the Fourth NPT Review Conference in 1990:

Vienna Document of 1990 on Negotiations on Confidence and Security Building Measures

Treaty on Conventional Armed Forces in Europe

Protocol to the Threshold Test Ban Treaty
Protocol to the Peaceful Nuclear Explosions Treaty

Concluding Act of Negotiations on Personnel Strength of Conventional Armed Forces in Europe

Treaty on the Reduction and Limitation of Strategic Offensive Arms (START)

Vienna Document of 1992 on Confidence and Security Building Measures

Treaty on Open Skies

Joint U.S.-Russian Declaration on Defense Conversion

U.S.-Russian Agreement on Safe and Secure Transportation, Storage and Destruction of Weapons

U.S.-Russian Agreement on Disposition of Highly Enriched Uranium from Weapons Dismantlement in Russia

U.S.-Russian (O'Leary-Mikhailov) Joint Statement on inspection of storage facilities for fissile material from dismantled nuclear weapons

U.S.-Belarussian Agreement on Emergency Response and Prevention of Proliferation of Weapons of Mass Destruction

Chemical Weapons Convention

U.S.-Russian Treaty on Further Reduction and Limitation of Strategic Weapons (START II)

U.S.-Ukrainian Agreement on Assistance in Elimination of Strategic Nuclear Arms

U.S.-Kazakhstan Agreement on Assistance in Destruction of Silo Launchers

U.S.-Kazakhstan Agreement on the Purchase of Highly Enriched Uranium

U.S. Russian Agreement and Monitoring Regime for the Shutdown and Conversion of Russian Plutonium Production Reactors

Vienna Document of 1994 on Confidence and Security Building Measures

U.S.-IAEA 1977 Voluntary Safeguards Agreement: a significant extension of safeguards to include fissile material from dismantled U.S. nuclear weapons

The list alone cannot fully convey the radical transformation in international security affairs. Some of the agreements already concluded in the past five years as well as several that are currently being negotiated deserve further explanation.

Nuclear Weapons

The Strategic Arms Reduction Treaty (START) was signed by the United States and the Soviet Union in 1991. Under the Lisbon Protocol of May 1992 Belarus, Kazakhstan and Ukraine agreed to become parties to START and to become parties to the NPT as non-nuclear weapon states. On December 5, 1994 at the Budapest CSCE (OSCE) Summit meeting the heads of state of all five parties exchanged instruments of ratification, bringing START into force.

START will reduce strategic arsenals by approximately one-third. Even before the Treaty entered into force the United States began to dismantle its strategic nuclear weapons. To date the United States has removed all of the warheads on strategic ballistic missiles whose launchers will be eliminated under START.

In addition to destroying its own weapons, the United States is supporting the destruction of such weapons by the other START parties. The United States has committed over $1 billion for programs in Belarus, Kazakhstan, Russia and Ukraine to ensure the safe, secure dismantlement of nuclear and other weapons of mass destruction.

START II was signed in January 1993. The United States and Russia are committed to seek ratification of the Treaty in 1995. Under START II, strategic weapons will be reduced well below START I levels, to 3,000-3,500 warheads each for the United States and Russia by 2003. With full implementation of START II the total U.S. active nuclear stockpile will be reduced by about 79% from the Cold War high. At their

September 1994 meeting in Washington, Presidents Clinton and Yeltsin announced that the United States and Russia would proceed to deactivate all strategic delivery systems to be reduced under START II by removing their nuclear warheads or by taking other steps to remove them from alert status once the Treaty enters into force. Also, the two Presidents instructed their experts to intensify their dialogue to develop concrete steps to adapt the nuclear forces and practices to the changed international security situation, including the possibility, after ratification of START II, of further reductions of, and limitations on, remaining nuclear forces.

In early 1995 a joint US-Russian working group will begin to discuss steps to make the reductions in nuclear warheads transparent and irreversible. These steps could include exchanges of data on aggregate stockpiles of nuclear weapons, on stocks of fissile material, and on their safety and security.

Nuclear Testing and Fissile Material Production Cutoff

Negotiations on a Comprehensive Test Ban Treaty (CTBT) began at the Conference on Disarmament (CD) in January 1994. The importance the United States attaches to these negotiations was highlighted by a message from President Clinton to the first plenary meeting of the CD in 1994. In that message, President Clinton reiterated the US commitment to negotiate a CTBT "at the earliest possible time." The President also stated that of all of the items on the CD agenda, "none is more important than the negotiation of a comprehensive and verifiable ban on nuclear explosions." The United States has played a leadership role in the negotiations. The United States believes that in the aftermath of the Cold War the risks of proliferation continue to present significant threats. A CTBT is vital to efforts to constrain both horizontal and vertical proliferation and further development of nuclear weapons and to ensure a more secure and peaceful planet.

In the meantime, the United States continues its nuclear test moratorium, which began in October 1992. President Clinton has extended the U.S. moratorium until a CTBT enters into force or September 1996, whichever comes first.

The United States is also seeking a global ban on the production of fissile materials for nuclear weapons or other nuclear explosive devices. We hope that negotiations will begin in Geneva in 1995.

Other Weapons of Mass Destruction

The United States signed the Chemical Weapons Convention (CWC) on January 13, 1993, the day the Treaty was opened for signature in Paris. This important treaty, negotiated at the CD in Geneva, will eliminate on a global basis an entire category of weapons by prohibiting the production of chemical weapons and requiring the destruction of all existing stocks of chemical weapons within ten years after the entry into force of the Treaty. In this respect, the CWC is both a disarmament treaty and a nonproliferation treaty. Once the Russians agree to the protocols associated with the June 1990 U.S.-U.S.S.R. agreement on chemical weapons destruction and non-production, both sides will be required to forego production of chemical weapons and to destroy the bulk of their stockpiles.

The United States supports efforts now underway to strengthen the Biological Weapons Convention (BWC). To enhance compliance with the BWC, President Clinton announced that the United States will promote new measures to increase transparency of activities that could have biological weapons applications. A Special Conference of states parties to the BWC took place in Geneva in September 1994. The Special Conference mandated the establishment of an Ad Hoc Group to draft a legally binding instrument to strengthen the BWC.

Conventional Forces

Negotiated within the framework of the Conference on Security and Cooperation in Europe, predecessor to the present Organization on Security and Cooperation in Europe (OSCE), the Treaty on Conventional Armed Forces in Europe (CFE) was signed in November 1990. This Treaty reduces and sets ceilings from the Atlantic to the Ural Mountains on key armaments essential for initiating large scale offensive operations. Such armaments include tanks, armored combat vehicles, artillery, and combat aircraft and helicopters. The Treaty entered into force in July 1992 and now includes 30 parties.

The CFE agreement was augmented in 1992 by a follow-on agreement (CFE 1 A) among the parties to declare national limits of the personnel strength of their conventional armed forces.

The United States has also concluded agreements on confidence and security building measures and transparency, also negotiated within the framework of the CSCE (OSCE).

The Vienna Document of 1994, which incorporates the 1992 Vienna Document, identifies a wide range of measures that increase the transparency of military forces and places various constraints on military activities. The 1994 Document also expands the area of application for some measures from Vancouver to Vladivostok.

The Treaty on Open Skies, signed by the US in 1992 and ratified in 1993, commits the United States and other parties in Eurasia and North America to permit, on a reciprocal basis, overflights of their territory by unarmed observation aircraft in order to strengthen confidence and transparency with respect to their military activities. This treaty has not yet entered into force.

The United States is also actively supporting countries in various regions that are interested in applying arms control to regional security problems. Regional arms control has become increasingly important in Africa, the Middle East, Latin America, South Asia, and East Asia and the Pacific.

Finally, President Clinton stated in his September 1994 address to the United Nations General Assembly that the United States will seek international agreement to reduce the number and availability of antipersonnel land mines -- currently estimated at about 85 million -- with a view toward the eventual elimination of such weapons.

Concluding Comments

The United States has pursued arms control negotiations for many years because it seeks a more stable international security environment. Moreover, we believe that in undertaking these negotiations the United States has complied with its obligations under Article VI of the NPT.

Results rarely come quickly. Seldom are the tasks entirely finished. Rather, it should be recognized that arms control is a continuous process. A number of the agreements that have been concluded in the last five years, for example, are built upon earlier agreements and negotiations. Strategic arms limitation negotiations between the United States and the Soviet Union began in 1969. Efforts to reach an international agreement to end nuclear tests began in 1955. President Eisenhower first proposed an "open skies" agreement in 1955. The first international agreement on chemical weapons was concluded in 1925.

There is still progress to be made, such as conclusion of the Comprehensive Test Ban Treaty and the Fissile Material Production Cut-Off Treaty. Once these agreements are achieved, the international security environment will be more stable and secure. Even then, the arms control agenda will not have been completed.

No one can predict when the time will come when further negotiations on arms control may no longer be necessary. One thing is clear, however: An NPT of undiminished vitality is vital for productive arms control negotiations to continue into the future.

APPENDIX A

Article III - Safeguards

U.S. CONTRIBUTIONS TO IAEA SAFEGUARDS

U.S. SUPPORT PROGRAM

The United States Support Program to IAEA Safeguards consists of several elements: (1) the Program for Technical Assistance to IAEA Safeguards (POTAS), (2) the Department of Energy's International Safeguards Program, and (3) technical support activities of the Department of State, Department of Defense, the Nuclear Regulatory Commission, and the Arms Control and Disarmament Agency. At the present time, the U.S. Support Program includes substantial assistance to the IAEA Programme 93+2. The sections that follow illustrate the various categories of the U.S. Support Program (USSP) by describing in some detail tasks which are currently in progress.

PROGRAM FOR TECHNICAL ASSISTANCE TO IAEA SAFEGUARDS (POTAS)

The U.S. program for technical assistance to the International Atomic Energy Agency (IAEA) was initiated following a proposal by U.S. President Gerald Ford in February 1976. The primary purpose of POTAS is to transfer technology available in the U.S. to enhance the effectiveness and efficiency of IAEA safeguards.

Historical effort prior to 1990

POTAS has contributed in many ways to the development and implementation of IAEA safeguards. In the early years, the emphasis was on research and development of equipment and safeguards approaches. Soon thereafter, POTAS added assistance in the areas of system studies, evaluation, computerized information treatment, training of IAEA staff and deployment of equipment for field use. More recently, support in the procurement, use and maintenance of equipment has been given additional emphasis. Thus, POTAS should be seen as broad technical support for IAEA safeguards and has gone beyond the areas of equipment, instruments and techniques because of the IAEA's wider needs. Consistent with its history, POTAS helps the IAEA to identify new needs, and methods, for improvement and remains responsive to IAEA requests.

POTAS has assisted and encouraged an improvement in the IAEA's internal process for identifying needs; specifying requirements for research, development and implementation support; assigning priorities and time-scales; following up on progress; and integrating the results into routine safeguards implementation. This led in 1992 to an integrated program, approved in the IAEA Department of Safeguards, of research, development and implementation support which includes almost all of the requirements of the program for strengthening IAEA safeguards as given in Programme 93+2.

In general, the provision of Cost-Free Experts (CFEs) is one of the key contributions by POTAS which has a major impact on the IAEA's performance. These CFEs are a diversified group of technical experts whose overall contributions are so significant they deserve special mention. Their impact results generally by POTAS providing the right person, at the right time for important IAEA needs. Although they cannot carry out IAEA inspections under safeguards agreements, they are used by the IAEA to address important issues and often directly assist the inspectors in Vienna and in the field. The highly diversified group of technical experts cover a range of IAEA needs, including non-destructive assay (NDA) techniques, training, management procedures, evaluation methods, quality assurance, data processing, creating specialized software, and specific knowledge needed for safeguarding major new facilities such as nuclear fuel enrichment and reprocessing plants. The CFEs have performed vital functions of the Agency's regular safeguards support staff, because of the severe budget limitations of the IAEA due to the zero-growth budget restrictions and to the non-payment of assessments by some States. Some of the details of the contributions by CFEs are included in the discussion below about the impact of POTAS on IAEA performance.

Equipment and instruments

CFEs provided by POTAS have had a major impact on the development, deployment, use and maintenance of equipment. Most of the work of the sections responsible for development and maintenance is made possible by such CFEs, and much of the work is done by them. Currently, they are used extensively for writing and getting approval of the procedures for operating equipment for NDA and for containment and surveillance (C/S) and for producing tailored software needed by the IAEA for its use of instruments. In addition, the CFEs are playing a major role in supporting the deployment of the Modular Integrated Video System (MIVS) which is an essential part of the IAEA's program to replace world-wide the film-based surveillance systems for which film and spare parts can no longer be easily purchased.

The specification, development and prototype production of MIVS were essential efforts provided by POTAS. Early production of field units, acceptance testing and feed-back for design changes and further production were accomplished with the support of POTAS. The process was the most thorough and provided valuable lessons. More than 150 MIVS units were installed in the field as of the end of 1993 and are a major element of IAEA surveillance world-wide.

To aid in the major effort of reviewing the large number of surveillance images, POTAS funded the development of an automatic reviewer, called MARS, which the IAEA acceptance tested in early 1994.

POTAS also provided important help leading to completion, deployment and use of Core Discharge Monitors (CDMs) at certain nuclear power reactors. Such help also led to the IAEA's use of "flow monitoring" at important nuclear installations in Japan and DPRK. POTAS help was in the form of both hardware and software.

POTAS also provided essential support for the development and use of tamper-indicating seals. Most recently the COBRA seal has been completed. The COBRA seal is now used in places which have conditions too extreme for the extensively used seals previously perfected by POTAS for normal conditions. An automatic , computer-based verifier to be used for verifying COBRA seals in the field is being developed by POTAS and was ready for field tests at the end of 1994.

In general, POTAS has been able to design equipment for both generic and specialized applications. This has involved both industry and DOE laboratories. Examples of current on-going POTAS tasks include:

1. Software Upgrade of COLLECT and REVIEW for PFPF. The software upgrade for the computer codes COLLECT and REVIEW was installed at the Plutonium Fuel Production Facility (PFPF) (Japan) in late 1993. Some minor adjustments were made in early 1994. The software allows an efficient review and verification of material flows within the facility.

2. Design and Fabrication of Facility Specific Detectors. A fuel flow monitoring system was fabricated and has been installed at the Tokai-1 reactor in Japan.

3. Advanced Methods in Surface Ionization Spectrometry. Research on advanced methods for application to specific IAEA sample measurement problems to improve the accuracy of mass spectrometry has been completed, and a report identifying

further work has been produced. The effort is needed to improve the IAEA's precision and accuracy for meeting high scientific standards and goals. The first Phase report on the technique is completed (ISPO-361, Evaluation of the Total Evaporation Method for Mass Spectrometry Analysis). The effect of impurities in the application of the technique is being extensively investigated.

4. Neutron Coincidence Counter for Scrap Materials. An instrument was provided to the IAEA which uses the concept of measuring higher neutron moments from fissions besides the singles and doubles. The added information allows the more precise measurement of plutonium content of a sample when the sample is not in the ideal condition; e.g., measurement of scrap contaminated by moisture or impurities (ISPO-349, Plutonium Scrap Multiplicity Counter Operation Manual).

5. Provision of Cascade Header Pipe Enrichment Monitor (CHEM). LANL has completed the collimator design of the CHEM for use at Rokkasho. Martin Marietta Energy Systems (MMES) has completed the fabrication of standards for calibrating the CHEM.

6. Spent Fuel Rod Counter. An instrument was developed for measuring the discharge of spent fuel rods from on-line loading reactors. The instrument operates continuously in an unattended mode. It is similar to fuel flow monitors at Monju and Joyo which use the GRAND instrument with COLLECT and REVIEW software.

7. Verification of Research Reactor Operating History and Spent Fuel. A neutron and gamma measuring instrument was developed for determining the integrated operating history of fuel elements from research reactors. This device is similar to the ION-1 "FORK" detector developed for use with LWR spent fuel assemblies but is customized for use with research reactor fuel. High resolution gamma spectroscopy measurement for analyzing burn-up and cooling time is also a component part of the instrument. The instrument was fabricated and delivered to the IAEA, along with a user's manual (ISPO-355, Research Reactor Fork User's Manual). IAEA staff were trained in its use.

8. Techniques to Maintain Continuity of Knowledge of SG Items Inside Glove Boxes. A prototype system was developed and was demonstrated at the IAEA in 1991 and in Japan in early 1992. A final report has been issued to the IAEA for use in evaluation of the alternatives (ISPO-357, Techniques to Maintain Continuity of Knowledge of Safeguard Items Inside Glove Boxes).

9. Valve Monitors for Continuity of Knowledge. The effort of determining flow control in a valve was documented in a final report issued in December 1993 (ISPO-358, Valve Monitors for Continuity of Knowledge - Chronological History).

10. Unattended Verification of Volume Measurement and Sampling of Tank Solution. MMES reported on the necessary probes needed for the various measurements (ISPO-345, Unattended Verification of Volume Measurements and Sampling of Tank Solutions). The IAEA has proposed a possible demonstration implementation at some test facilities as the next step in finding methods acceptable to their needs which minimize facility impact.

11. Individual Sample Vial Containment. A secure sample vial container was developed by SNL to assure continuity of knowledge of the sample from the sampling process to the analysis (ISPO-362, Sample Vial Secure Container (SVSC)). A vulnerability test on mass produced mold injected sample containers took place in April 1993 and identified certain areas of improvement which will be addressed; i.e. the seal will be more robust. There is a need to provide more convenient closing and opening devices once the SVSC has proven acceptable.

12. Generic Video Review Station. Video review stations were evaluated in 1994 by the IAEA. The IAEA requested further specific development of production prototypes of MIVS Advanced Review Stations (MARS). Three stations were delivered in November 1993 and were acceptance tested in early 1994. The IAEA purchased 15 MARS units. A formal training course was developed, and the units were in use at the end of 1994.

13. MIVS Manufacturer Support System. POTAS has funded the continuing support of the MIVS manufacturer to aid the implementation of MIVS by the IAEA. Design improvements have been incorporated, and continued testing of all components in order to assure reliability is being supported.

14. Autocobra Image Verifier. A compact, computer-based automatic in-field verifier for the COBRA seal was engineered and was demonstrated to IAEA staff in March 1994. An instrument suitable for field testing was supplied at the end of 1994.

15. GEMINI - A One Channel Digital Image Surveillance System. Robust system control software is being engineered for a digital surveillance system using commercially available components. It will be completed in 1995 and will provide the advantage of digital data for surveillance analysis, remote data transmission and low power consumption.

Systems studies

POTAS tasks for systems studies have assisted the IAEA in producing generic safeguards approaches and then evolving to facility-specific applications. This evolution corresponded to the IAEA's changing needs and permitted both generic and facility-specific problems to be addressed. At the same time, some problems which first arose in connection with specific facilities have been expanded into system studies which treated the problems explicitly and systematically.

Important examples of this work include: an analysis of diversion paths and development of model safeguards approaches for the facility type; explanatory notes and examples of how the State should complete the IAEA's design information questionnaire; guidelines for practical implementation of elements of the State's System of Accounting and Control (SSAC) at particular facilities; and calculations of the possible amounts of unreported plutonium which could be produced at specific reactors.

Important work on generic topics include: various studies on the possible extension of randomization to other applications in IAEA safeguards as part of efforts to reduce IAEA costs; development of methodologies for assessing and evaluating the effectiveness of IAEA safeguards; and strategic planning, including an associated plan for medium-term actions by the department of safeguards.

In addition, system studies support to inspectors for implementation of complex safeguards approaches at certain major facilities were greatly assisted by CFEs with a direct and important impact on the effectiveness of safeguards at these facilities. Examples of on-going POTAS tasks on systems studies include:

1. NRTA Software Package. The U.S. has worked cooperatively with Germany to effect a statistical package of software which will ease the inspector's task of obtaining more timely analyses of NRTA data (ISPO-343, Theoretical Framework for Sequential D/MUF-D Analysis). The software package was given an initial field test by IAEA staff cooperatively in Japan at the Tokai Reprocessing Plant in early 1994.

2. Guidelines for Large Reprocessing/Conversion Plant (NRTA) Safeguards Design Specification. A draft report has been issued that describes hardware options available in commercially distributed control data/logging systems which would be valuable for an NRTA approach to reprocessing plant safeguards. The details about the required software capabilities

to effect NRTA were addressed. A draft report, In-Plant Safeguards Information Systems for Large Reprocessing/Conversion Facilities: Preliminary Design Considerations, was issued in January 1994.

3. Field Testing of SNRI for Inventory Change Verification at an LEU Fuel Fabrication Plant. POTAS supported a test of short notice random inspections (SNRI) using an inventory mailbox concept at a U.S. LEU fuel fabrication plant. The test demonstrated the validity, technical feasibility and effectiveness of this approach for verifying the uranium hexafluoride inputs and the product fuel assemblies. The test has been completed, and the preliminary results were presented at the IAEA March 1994 Symposium. POTAS supported a detailed analysis of the test, and the final report was provided to the IAEA at the end of 1994.

4. Expert - Future Directions and Approaches of IAEA Safeguards. An expert reported to the IAEA in May 1994 to work on various safeguards approaches being investigated by the Department of Safeguards.

5. Safeguards on Enrichment Plants - Gaseous Diffusion and Others. This task was recently undertaken to provide the IAEA the knowledge base by which to formulate safeguards approaches for such plants.

6. Safeguards for Final Disposal of Spent Fuel. The U.S. has agreed to support "Design Specification for Inventory Verification for Spent Fuel Conditioning Plants." The U.S. has also agreed to chair the Technical Coordinating Committee which will coordinate the activities of Member States participating in the task.

Training

CFEs provided for training at the IAEA in the use of NDA equipment, computers and for other specialized training have been essential for the success of the training of IAEA inspectors and other professional staff in the Department of Safeguards. Training in the U.S. on NDA equipment has been used extensively by the IAEA to ensure effective use of such equipment, which is of major importance in safeguards performance at facilities handling bulk nuclear material. Twenty-seven training courses have been arranged so far. In addition, training on inspection activities for selected types of nuclear facilities has had a major impact on preparations for effective safeguards performance at important facilities, e.g., five training courses have been arranged by POTAS on enrichment technology.

In-field training on verification of a physical inventory (PIV) at selected types of facilities has greatly assisted the IAEA. A series of PIV training exercises was held under POTAS at U.S. facilities. The PIV exercises continue to be held at U.S. facilities, and one has recently been held at a European location. This progression is an excellent example of a POTAS effort stimulating assistance by other States, thereby increasing the cost-effectiveness of the U.S. program. Examples of on-going current POTAS tasks in the area of training and procedures include:

1. Verification Methods in Diffusion Enrichment Plants. POTAS has supported the familiarization 16 IAEA staff on diffusion plant safeguards techniques through lectures and tours at two U.S. diffusion plants, K-25 (non-operating) and Portsmouth (operating). Techniques for hold-up measurements and in-line inventory determinations are being developed and will be provided to the IAEA.

2. Cost-Free-Expert - Clean Laboratory. A CFE began a 2-year appointment at the IAEA in April 1994. The expert will work with IAEA staff at SAL in assuring the proper construction and commissioning of the Clean Room Laboratory for analyzing environmental samples.

3. Measurement Procedures and Training. POTAS has supported the development, testing, and writing of an extensive number of material measurement procedures. A CFE is provided to organize and manage the production of IAEA measurement procedures by outside consultants. The expert also writes many of the individual procedures in conjunction with IAEA staff when the procedure is needed on a priority basis. Final evaluation review and approval of the procedures are done by IAEA staff before acceptance by the Department of Safeguards. The external part of the task is complete, but the expert provides needed maintenance of existing procedures as well as writing new procedures. Relevant reports include: ISPO-276, Procedures for PuO Field Measurements with an HLNC-II; ISPO-308, Field Measurements in Support of Enrichment Measurement; Procedures Development for Type 30-B UF6 Cylinders; ISPO-309, Test of PMCN Procedures for UF6 Measurements (SG-NDA-13) at Portsmouth Gaseous Diffusion Plant; and ISPO-320, Test of Measurement Procedures for the IAEA 40-Watt Bulk Plutonium Calorimeter BPAC-40 (SG-NDA-14) at the PERLA Facility of the JRC, Ispra.

4. PIV In-Field Training Exercise. POTAS supports the IAEA on a continuing yearly basis in training of inspectors in advanced measurement techniques on plutonium at EURATOM (ISPRA) and other Member State's facilities (e.g., Sellafield in the UK).

5. Cost Free Experts. POTAS supports the in-house training of IAEA staff with CFEs who are especially qualified in training required by the IAEA on instruments needed for inspection verifications.

6. Training for Enhanced Observational Capability. The U.S. is pursuing a multiphased investigation to define the performance skills required by inspectors to detect undeclared nuclear activities. A concept paper has been prepared (ISPO-356, Concept Paper: Knowledge Acquisition Skills Training for Enhanced IAEA Safeguards Inspections. A pilot course is being developed, and at least two full training courses are planned by April 1995.

Information processing and miscellaneous tasks

A big success has been POTAS involvement in the initiation in 1987 and subsequent support of moving the IAEA toward wide area and local area networks using various computer platforms. Examples of POTAS tasks in information processing and other miscellaneous tasks are:

1. Consultants. Several consultants have been supplied to the IAEA who provide expert aid to the IAEA in statistics, data evaluation, and safeguards activities planning. These services are supplied both on a one-time basis as well as on a continuing series of short-term consulting periods and include ISPO-227, Direct Transmission of Safeguards Information; ISPO-233, Secure Process Data Collection for IAEA Safeguards: Preliminary Conceptual Design; and ISPO-321, A Quality Assurance System for Nuclear Material Transfer Accounting.

2. Experts - Software Programming. Several CFEs have been provided to develop software for use by inspectors in the field to improve the timeliness of inspection evaluations.

3. Authentication of the NRTA Data Collection System Through Correlation Analysis. Various advanced mathematical methods of analysis are being investigated as possible aids to analyzing NRTA data for reprocessing plant safeguards. A draft report has been given to the IAEA for review.

4. Authentication of Operator Process Monitoring Systems. This task will determine whether techniques evaluated previously in another task can be used in an existing plant. While not a joint task, there will be indirect cooperation with the Japanese Assistance Program for Agency Safeguards (JASPAS) through a task which they have agreed to do for the IAEA involving data collection and monitoring of the product tanks at Tokai Reprocessing Plant.

5. Expert - Local and Wide Area Networks. This new task will provide a CFE to provide expertise in the use of computer networks.

6. Expert - Information Systems Advisor. This new task will provide a CFE to advise the IAEA on the various information data bases available and how to integrate access to the data bases into current IAEA software and approaches.

7. Expert - System Integration. This new task will provide a CFE to assist the IAEA in seamlessly integrating all IAEA computer platforms (main-frame, Sun, RISC and PCs) for more efficient data transfer and analysis.

8. Expert - Development, Implementation, Evaluation of a QA System. POTAS supports IAEA efforts to implement quality assurance techniques and procedures throughout the Department.

9. Expert - Analyst/Programmer for SMIS. A CFE replacement for a previously completed POTAS task is being supported by POTAS. The expert reported to the IAEA in June.

10. Recruitment of U.S. Candidates. The U.S. supports IAEA recruitment of staff by providing information booths at ANS and INMM meetings in the U.S.

11. Special IAEA Safeguards Staff Travel. POTAS supports IAEA approved non-task related travel by IAEA staff. These trips are useful for enhancing IAEA staff interaction with the technical community prior to deciding on a task request.

DOE INTERNATIONAL SAFEGUARDS PROGRAM

In addition to providing most of the technical input for the POTAS program, the United States Department of Energy (USDOE) has an International Safeguards Program which provides critical technical assistance on a mutually cooperative basis to countries and international organizations to enhance capabilities to control and verify nuclear material inventories. Bilateral and multilateral arrangements have been developed to exchange technology and information for the improvement of safeguards.

In addition to technical support to the IAEA, DOE provides technical support to the United Nations Special Commission (UNSCOM) for inspections in Iraq. Other DOE activities include designing safeguards concepts and strategies, installing inspection and verification equipment to control nuclear materials in countries of the Former Soviet Union, evaluating and deploying new technology for international safeguards to assist the IAEA, transferring U.S. developed safeguards technology for specific application in unique facilities, providing international training courses for foreign nationals, and operating an international nuclear material tracking system. Indirect support is also provided the IAEA under bilateral safeguards cooperation agreements between DOE and foreign organizations for the development of different safeguard techniques.

The DOE National Laboratories with their high expertise provide the technical basis and infrastructure to implement the DOE International Safeguards Program. Contributions to IAEA safeguards include:

1. Nuclear materials safeguards technology evaluation and implementation;

2. materials control and accountability methodology development;

3. statistical applications to nuclear materials management;

4. improved safeguards information management capabilities such as the Safeguards Information Management System (SIMS);

5. investigation of technical criteria for IAEA safeguards;

6. specialized NDA technology such as neutron coincidence counting systems and a portable multichannel analyzer;

7. evaluation and application of integrated and remote monitoring systems;

8. development of a portable x-ray fluorescence analysis system;

9. evaluation and application of environmental monitoring techniques;

10. a uranium enrichment gamma ray analysis system;

11. intelligent data acquisition and analysis software development; and

12. material integrity verification radar.

The discovery of the clandestine development of undeclared facilities in Iraq has placed greater emphasis on the need for measures to detect undeclared activities. DOE is supporting the IAEA to detect undeclared activities.

NRC CONTRIBUTIONS TO IAEA SAFEGUARDS

The U.S. Nuclear Regulatory Commission (NRC) provides technical support to the IAEA in several areas. This includes:

1. Short Notice Random Inspection (SNRI). The NRC assisted the IAEA in conducting the POTAS-supported SNRI field test at an NRC-licensed low enriched uranium fuel fabrication facility.

2. Computerized Assessment of Safeguards Effectiveness. The effectiveness of a computer program, called "PASE," in evaluating safeguards approaches was assessed by applying it on a test basis to a generic centrifuge enrichment plant producing low enriched uranium. Assessments were made of the diversion paths generated by the PASE program and of the efficiency of the program's analysis of the detectability of these paths by a given international safeguards approach. The large effort required to apply PASE did not seem commensurate with its modest benefits. Recommendations for improving PASE's efficiency were provided.

3. Assessment of Technical Criteria for the Termination of Safeguards on Nuclear Material Contained in Irradiated Waste. This task assessed possible technical criteria for the termination of IAEA safeguards on nuclear material contained in waste from a reprocessing facility and recommended modifications that would increase assurance of the practical irrecoverability of the nuclear material. The results were used in discussions with other countries and the IAEA to establish technically sound criteria for the termination of IAEA safeguards on nuclear materials in waste.

4. Criteria for the Termination of IAEA Safeguards on Material Contained in Waste Streams from Nuclear Facilities. This task is assessing technical criteria for the termination of safeguards on nuclear material contained in waste from other types of nuclear facilities.

5. Adjusted Running Book Inventory Concept to the Head-end of a Large Scale Reprocessing Plant. In response to a request by the IAEA to POTAS, NRC funded a study of the application of the Adjusted Running Book Inventory (ARBI) concept to the head-end (fuel chopping and dissolution) of a hypothetical large reprocessing plant. The study results were

reported to the IAEA in 1993 and showed that ARBI has the potential of increased sensitivity for the timely detection of the loss of plutonium for the head-end area.

6. Refinement of ARBI for Use in the Head-end of Large Reprocessing Plants. An IAEA request for follow-on work to refine the utility of ARBI for meeting IAEA inspection goals in the head-end of a large reprocessing plant is under review. After review and approval, NRC expects to fund the work.

U.S. TECHNICAL ASSISTANCE IN SUPPORT OF PROGRAMME 93+2

The U.S. has undertaken to provide support for Programme 93+2, which was initiated in 1993. U.S. efforts include:

1. Cost Analysis of Present Safeguards Implementation. The U.S. has undertaken an internal study to see if there is any new information we could provide to the IAEA relating to key safeguards parameters.

2. Assessment of Potential Cost Saving Measures. U.S. technical assistance to the IAEA's examination of cost-saving measures predates Programme 93+2. The U.S. has long supported investigation and deployment of a number of advanced technologies, such as unattended NDA and surveillance equipment, as well as remote transmission of NDA, surveillance and other sensor data. The U.S. is supporting the effort for standardized equipment procurement as part of the New Partnership Approach with EURATOM by supporting development of the GEMINI digital surveillance system. The U.S. also continues to provide substantial support to the Safeguards Management Information System (SMIS) as an important administrative measure to maximize effective use of Department of Safeguards resources.

3. Environmental Monitoring Techniques for Safeguards Application. In addition to the field trial at Oak Ridge, the U.S. has provided personnel, equipment, technical expertise, and travel funds for IAEA environmental monitoring field trials in Sweden, Hungary, South Africa, Argentina, and South Korea. The U.S. has also provided $1.5 million for the planning and construction of a Class 100 clean laboratory at the Safeguards Analytical Lab in Seibersdorf for IAEA efforts in environmental monitoring for safeguards. The U.S. has already provided several consultants for this project and is now supporting a CFE to work with the IAEA in the construction and commissioning of this clean room. Finally, the U.S. is providing the IAEA assistance in special analytical procedures for environmental samples. Five U.S. laboratories have been added to the IAEA Network of Analytical Laboratories for performing environmental sample analyses, and training is being provided to the IAEA in analytical methods.

4. Increased Cooperation with SSAC and other Measures for Improving the Cost Effectiveness of Safeguards. Among the relevant investigations supported by the U.S. are randomized inspections across the fuel cycle, short-notice random inspections at LEU fuel fabrication plants and randomization of inspections at LWRs.

5. Improved Analysis of Information on States' Nuclear Activities. The U.S. has provided a consultant to the IAEA to assist in the development of an information analysis methodology designed to make use of both safeguards and non-safeguards information for analyzing States' nuclear activities. This has included development of a proliferation critical path analysis and assessment of all potential information sources. The U.S. has provided a sophisticated multi-media data management system, the International Nuclear Safeguards Inspection Support Tool (INSIST), to be used for enhanced evaluation and assessment of all types of information for safeguards purposes. The U.S. is also supporting the Safeguards Information Management System (SIMS), which provides additional information for management support in the form of advice, training, customized software, and hardware. SIMS is designed to meet IAEA needs and to manage effectively additional information from other enhanced safeguards effort.

6. Enhanced Safeguards Training. The U.S. is assisting the IAEA in developing enhanced observational training as a means to strengthen inspectors' ability to detect inconsistencies with declared activities. The U.S. is also assisting the IAEA in training for environmental sampling and analysis. In addition, the U.S. is examining a variety of other possible training initiatives for application to IAEA safeguards, either as supplements to existing training or as new courses.

CONCLUSION

The United States Support Program provides strong financial and technical support toward the implementation of effective and efficient IAEA safeguards. In the future, with the additional safeguards responsibilities for the "excess" fissile materials from dismantled nuclear weapons, the IAEA will require increased financial and technical assistance support for its safeguards program from its Member States.

APPENDIX B

Article IV -- Peaceful Uses of Nuclear Energy

AGGREGATES 1990-1995

U.S. Voluntary Contributions to IAEA Technical Assistance Fund

1990	$10,654,000
1991	$11,330,000
1992	$12,000,000
1993	$13,875,000
1994	$14,675,000
1995	$15,375,000
TOTAL:	$77,909,000

U.S. Extrabudgetary Funding for IAEA Footnote A Projects

1990	$1,200,000
1991	$1,380,000
1992	$1,404,000
1993	$1,900,000
1994	$2,000,000
1995	$2,000,000
TOTAL:	$9,884,000

U.S. Extrabudgetary Funding for IAEA Fellowships

1990	$1,033,000	23 Fellows Placed and Trained
1991	$1,100,000	29 Fellows Placed and Trained
1992	$1,250,000	64 Fellows Placed and Trained
1993	$1,250,000	96 Fellows Placed and Trained
1994	$1,500,000	
1995	$1,500,000	
TOTAL:	$7,633,000	

U.S. Funded Training Courses

1990	$ 1,772,000
1991	$ 1,751,000
1992	$ 1,623,000
1993	$ 1,850,000
1994	$ 2,000,000
1995	$ 2,000,000
TOTAL	$10,996,000

U.S. Funding for Cost Free Experts

1990	$ 152,000
1991	$ 450,000
1992	$ 450,000
1993	$ 500,000
1994	$ 475,000
1995	$ 800,000
TOTAL:	$2,827,000

SPECIFIC DATA 1990-1993

1990

Recipients of U.S.-Funded IAEA Footnote A Projects: 17

- Bangladesh
- Colombia
- Cote D'Ivoire
- Ecuador
- Egypt
- El Salvador
- Ghana
- Greece
- Indonesia
- Korea, Republic of
- Malaysia
- Mexico
- Nigeria
- Poland
- Portugal
- Thailand
- Vietnam

Total U.S. Provided Equipment: $1,434,600

U.S. Provided Extrabudgetary Fund for Technical Cooperation: $1.2 Million, which was 28.6% of the funds received by IAEA for Footnote A projects.

1991

Recipients of U.S.-Funded IAEA Footnote A Projects: 17

- Colombia
- Costa Rica
- Egypt
- Ghana
- Greece
- Hungary
- Indonesia
- Kenya
- Korea, Republic of
- Malaysia
- Mexico
- Nigeria
- Peru
- Philippines
- Portugal
- Romania
- Yugoslavia

Total U.S. Provided Equipment: $713,000

U.S. Provided Extrabudgetary Fund for Technical Cooperation: $1.6 Million, which was 24% of the funds received by IAEA for Footnote A projects.

1992

Recipients of U.S.-Funded IAEA Footnote A Projects: 15

Colombia
Costa Rica
Egypt
Ghana
Guatemala
Hungary
Indonesia
Kenya
Malaysia
Mexico
Nigeria
Peru
Philippines
Romania
Uruguay

Total U.S. Provided Equipment: $1,096,100

U.S. Provided Extrabudgetary Fund for Technical Cooperation: $2.0 Million, which was 40.5% of the funds received by IAEA for Footnote A projects.

1993

Recipients of U.S.-Funded IAEA Footnote A Projects: 19

Bangladesh
Colombia
Costa Rica
Egypt
Ethiopia
Ghana
Indonesia
Kenya
Malaysia
Mexico
Morocco
Nigeria
Peru
Philippines
Romania
Slovenia
Tanzania
Uruguay
Zimbabwe

Total U.S. Provided Equipment: $5,687,600

U.S. Provided Extrabudgetary Fund for Technical Cooperation: $2.0 Million, which was 30.9% of the funds received by IAEA for Footnote A projects.

APPENDIX C

Article VI: Arms Control and Disarmament

THE RECORD FROM 1970 TO 1995

Since the NPT entered into force on March 5, 1970 the United States has become party to 13 arms control treaties and has signed more than 40 other international agreements and statements. The following information covers the principal arms control commitments undertaken by the US during the first 25 years of the NPT.

Memorandum of Understanding Between the United States and the Soviet Union Establishing a Direct Communications Link

Known more commonly as the "Hot Line," this agreement was signed in 1963 and up-dated three times between 1971 and 1988. Satellite communications with multiple terminals were established by agreement of September 30, 1971, facsimile transmission by agreement on July 17, 1984, and advanced facsimile by agreement June 24, 1988.

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed

The Seabed Treaty, signed by the United States on February 11, 1971, prohibits the deployment of nuclear and other weapons of mass destruction on the ocean floor or the subsoil. The Treaty entered into force on May 18, 1972.

Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War

The United States and the Soviet signed this agreement September 30, 1971. The agreement calls for cooperation between the United States and the Soviet Union to reduce the risk that accidental or unauthorized action could lead to a nuclear exchange. A Common Understanding of June 14, 1985 clarifies several terms used in the Agreement.

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction

The United States ratified the BWC January 22, 1975. The Convention prohibits parties from developing, producing, stockpiling, or acquiring biological and toxin weapons and their means of delivery. At the Third BWC Review Conference in September 1991 the participating states parties recognized the need to strengthen the implementation of and compliance with the Convention. The Conference mandated the establishment of an ad hoc group of government experts (called VEREX) to identify and examine potential verification measures. The Ad Hoc Group's report to the BWC states parties was discussed at a Special Conference in September 1994. The Special Conference mandated the establishment of an Ad Hoc Group to draft a legally binding instrument to strengthen compliance and enhance transparency of the BWC. The draft instrument will be submitted for consideration to the Fourth Review Conference in 1996. The United States supports measures that will strengthen the BWC.

Agreement Between the United States and The Soviet Union on Preventing Incidents On and Over the High Seas

This agreement calls for cooperative measures to reduce the risk of naval conflict due to accident, miscalculation or communication failure. It was signed May 25, 1972.

SALT I Agreements

Two major strategic arms control agreements were signed at the Moscow Summit May 26, 1972. The Interim Agreement on Offensive Weapons and the ABM Treaty were the first agreements the United States and the Soviet Union concluded that limited the deployment of strategic nuclear weapons. Both agreements recognized the principle of national technical means of verification and established the Standing Consultative Commission for both sides on a regular basis to consult on implementation.

Interim Agreement between the United States and the Soviet Union on Limitations of Strategic Weapons

The Interim Agreement, in force for five years, limited future US and Soviet future deployment of inter-continental ballistic missile (ICBM) launchers, submarine-launched ballistic missile (SLBM) launchers, and ballistic missile submarines.

Anti-Ballistic Missile Treaty

The ABM Treaty limited each side to two anti-ballistic missile deployment areas, one of which could be centered at the nation's capital and the other at an ICBM site. Interceptors and radars for both sites were limited as was testing and development. For example, sea-based, air-based, space-based, and mobile land-based systems and components are prohibited. At the Moscow Summit on July 3, 1974 President Nixon and General Secretary Brezhnev signed a protocol to the ABM Treaty, reducing the permitted ABM sites to one each. Other Protocols (July 1974 and October 1976), an Agreed Statement (November 1, 1978), and a Common Understanding (June 6, 1985) clarify and regulate various aspects of implementation of the Treaty. The United States does not have an operational ABM site.

Agreement Between the United States and the Soviet Union on the Prevention of Nuclear War

This agreement, signed at the Washington Summit June 23, 1973, specifies actions that the US and USSR should take to avoid the risk of nuclear war.

Threshold Test Ban Treaty

The United States and the Soviet Union signed the Threshold Test Ban Treaty (TTBT) July 3, 1974 at the Moscow Summit. Underground nuclear tests may be no greater than 150 kilotons. A protocol specifying additional verification provisions was agreed to June 1, 1990, and the TTBT entered into force December 11, 1990.

Helsinki Final Act

The Concluding Document of the Conference on Security and Cooperation in Europe (CSCE) was signed by President Ford and 34 other heads of government on August 1, 1975. The Helsinki Final Act includes a number of confidence-building measures. such as notification of major military exercises (more than 25,000 troops) and invitations to observers.

Peaceful Nuclear Explosions Treaty

The United States and the Soviet Union agreed on May 28, 1976 on conditions that govern any nuclear explosions for peaceful purposes, that is explosions that take place outside weapon test sites established under the TTBT. Individual explosions are limited to 150 kilotons. As in the case of the TTBT, a verification protocol, agreed June 1, 1990, enabled the PNET to come into force December 11, 1990.

Environmental Modification Convention

The United States signed the Environmental Modification Convention May 17, 1977. The Treaty prohibits the hostile use of environmental modification technologies that result in widespread, long lasting or severe effects on any other party.

United States - IAEA Safeguards Agreement

The US-IAEA Safeguards agreement, concluded November 18, 1977, permits the IAEA to apply safeguards to all special fissionable material in all facilities in the United States except those with direct national security significance. The Agency selects the particular facilities in which it wishes to apply safeguards. The agreement entered into force December 1980.

Treaty Between the United States and the Soviet Union on the Limitation of Strategic Arms (SALT II)

The SALT II Treaty went beyond the SALT I Interim Agreement in several respects. First, it included all strategic delivery systems, heavy bombers as well as ICBMs and SLBMs. Second, it established equal ceilings for both the United States and the Soviet Union. Third, it placed limits on missiles with multiple warheads.

The Treaty set overall limits for all strategic delivery systems (ICBMs, SLBMs, heavy bombers, and air-to-surface ballistic missiles) at 2,400. Delivery systems with multiple warheads were limited at 1,320, and a sublimit for MIRVed ICBMs was set at 820. In addition, the number of warheads that could be carried on both ICBMs and SLBMs could not be increased beyond the maximum then carried; ICBMs could carry no more than 10 warheads, SLBMs no more than 14.

Limitations were also placed on future development and deployment. For example, modernization was restricted, limits were established for certain kinds of testing, relocation of launchers was prohibited, new fixed ICBMs were prohibited, and light ICBMs could not be converted to heavy missiles.

Altogether, the SALT II agreement reflected some of the objectives of SALT I, in particular, the desire to limit future development and deployment of the most destabilizing strategic weapons. The Treaty never actually entered into force, but during the time of its intended duration the United States complied with its limitations.

Convention on Physical Protection of Nuclear Material

The United States signed the Physical Protection Convention March 3, 1980. This Convention specifies measures to protect shipments of nuclear materials and also specifies actions to be taken in case of theft.

Nuclear Risk Reduction Centers

The United States and the Soviet Union agreed September 15, 1987 to establish centers that could communicate directly with each other in order to notify the other side about launches of ballistic missiles.

Intermediate-Range Nuclear Forces Treaty

The INF Treaty was signed by the United States and the Soviet Union at the Washington Summit on December 8, 1987. When negotiations began, in 1982, the immediate concern was about deployment of intermediate-range missiles in Europe. What emerged from the negotiations, however, was a global ban of this missile category by the US and the USSR. INF eliminated an entire category of nuclear delivery systems by prohibiting deployment and requiring the destruction of the missiles, launchers, and support equipment. The Treaty also established a verification regime with unusually intrusive measures.

All US and Soviet ground-launched intermediate-range missiles (1,000 km to 5,500 km) and all ground-launched shorter range missiles (500 km to 1,000 km) are banned under the Treaty. The ban applies to cruise missiles as well as ballistic missiles. All missiles, launchers, support structures, and equipment were destroyed. Flight testing of such systems was prohibited.

Verification measures include exchanges of data, on-site inspections of facilities and of destruction, and for the thirteen-year period of Treaty verification continuous on-site monitoring at the two former production facilities for INF systems, one in the United States and one in Russia. The Special Verification Commission was established by the Treaty to deal with compliance and implementation concerns.

All destruction required by the Treaty was completed by June 1, 1991.

CSCE Stockholm Document

The United States, along with all other CSCE members, agreed on September 19, 1986 on certain principles governing military actions. Among other provisions, the Stockholm Document calls upon CSCE members to refrain from the threat or use of force. It also calls for prior notification (42 days) of large-scale military activities (13,000 troops or 300 tanks), set up procedures for observing military activities, and required an annual calendar of military activities that would require prior notification.

Conventional Armed Forces in Europe Treaty

The CFE was concluded November 19, 1990. Negotiated by members of NATO and the former Warsaw Treaty Organization -- although the Treaty applies to individual countries -- CFE places stringent limits on the deployment of conventional weapons systems that would be necessary for major offensive actions in the Atlantic-to-the-Urals (ATTU) Region. These systems are tanks, artillery, armored combat vehicles, combat aircraft, and attack helicopters. Overall limits were set that apply collectively to the members of each alliance: 20,000 tanks; 20,000 artillery pieces; 30,000 armored combat vehicles, 6,800 combat aircraft, and 2,000 attack helicopters.

The Treaty specifies strict procedures covering the destruction of equipment in excess of the limits and provides for a broad, intrusive on-site inspection regime applying both to the process of destruction and to current equipment holdings of each state.

On July 10, 1992 the Heads of State of the CFE parties, by then numbering 29, agreed on further political measures to limit military personnel in the region. National personnel limits were specified and procedures established to revise the figures either downward or upward.

Confidence-and Security-Building Measures in Europe

Building on the implementation of the provisions of the Stockholm Document of 1986, CSCE members undertook new negotiations to elaborate a new set of confidence-and security-building measures to further reduce the risk of military confrontation in Europe. The result of these negotiations, begun in 1989, was the 1990 Vienna Document, later superseded by the 1992 Vienna Document, and, in December 1994, superseded by Vienna Document 1994.

The 1994 Vienna Document provides for an annual exchange of information on forces, equipment and budgets, evaluation visits to determine the validity of exchanged information, expanding contacts among participating states (for example, visits to air bases and demonstrations of new weapons systems), a CSCE communications network, and annual meetings to review implementation. Mandatory notification of military activities is now required for those activities involving over 9,000 troops, a reduction of 4,000 below the level set by the 1986 Stockholm Document.

Strategic Arms Reduction Treaty

Negotiations on this Treaty (START) began in June 1982 and concluded at the Moscow Summit on July 31, 1991. For the first time ever the United States and the Soviet Union agreed to substantial reductions of strategic nuclear offensive arms, roughly 30-40% overall, and up to 50% in the most threatening systems.

The breakup of the USSR at the end of 1991 meant that three newly independent states in former Soviet Union besides Russia -- Belarus, Kazakhstan, and Ukraine -- had strategic offensive arms deployed on their territory. The Lisbon Protocol of May 23, 1992 specified the means by which these three states and Russia would become parties to START. Furthermore, Belarus, Kazakhstan, and Ukraine are committed by the Protocol to eliminate all nuclear weapons and all strategic offensive weapons from their territories within the seven year Treaty reduction period. They also agreed to join the NPT as non-nuclear weapon states.

At the CSCE Budapest Summit on December 5, 1994 the five Heads of State exchanged instruments of ratification, bringing START into force.

START limits the United States and the former Soviet Union to 1600 strategic nuclear delivery systems capable of carrying 6000 warheads (with a sublimit of 4,900 for ICBMs and SLBMs).

Reductions are to take place in three phases over the course of seven years. The United States has budgeted substantial funds to support dismantlement in Belarus, Kazakhstan, Russia, and Ukraine.

United Nations Register of Conventional Arms

The UN Register was adopted by the UN General Assembly on December 9, 1991. UN members states are requested to provide to the Register data on certain categories of arms exported or imported. The United States has complied with the request.

U.S.-Russian Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II)

Less than two years after Presidents Bush and Gorbachev signed START I Presidents Bush and Yeltsin signed START II on January 3, 1993. START II will require that by the year 2003 the United States and Russia each will deploy an aggregate number of warheads on ICBMs, SLBMs and heavy bombers of no more than 3,500. START II will also eliminate the most destabilizing strategic weapons -- multiple warhead ICBMs and heavy ICBMs -- by the year 2003.

On September 28, 1994, at the conclusion of their Summit meeting, Presidents Clinton and Yeltsin confirmed their intention to seek early ratification of the START II Treaty and expressed their desire to exchange START II instruments of ratification at the next U.S.-Russia Summit meeting.

Open Skies Treaty

The United States signed the Open Skies Treaty March 24, 1992. This Treaty commits parties in North America and Eurasia to permit on a reciprocal basis overflight of their territories by unarmed observation aircraft. This agreement is intended to strengthen confidence and promote transparency, was first proposed by President Eisenhower in 1955. The Treaty has not yet entered into force.

Chemical Weapons Convention

Along with 129 other original signatories, the United States signed the Chemical Weapons Convention (CWC) when it was opened for signature in Paris on January 13, 1993.

The CWC bans an entire class of weapons of mass destruction. Not only does it prohibit use of chemical weapons (also prohibited by the 1925 Geneva Convention on Poison Gas), it prohibits acquisition, development, production, stockpiling, retention, and transfer of chemical weapons. It requires the total destruction of both chemical weapons themselves and their production facilities.

The CWC establishes an elaborate system of verification that governs inspection, including short-notice challenge inspections, and establishes the Organization for the Prohibition of Chemical Weapons to ensure implementation of the CWC. The Treaty will enter into force 180 days after deposit of the 65th instrument of ratification and is of unlimited duration.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/18
17 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 17 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS AND DEPUTY HEAD OF THE CHINESE DELEGATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Upon instruction of the Chinese Government, I have the honour to transmit to you the national report of the People's Republic of China on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons. A Chinese text of the report and its English translation is attached herewith.

I should be grateful if you could make arrangements for the distribution of the present letter and the annexed national report as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) LI Zhaoxing
Ambassador
Permanent Representative
Deputy Head of the Chinese Delegation

Annex

[Original: Chinese/English]

NATIONAL REPORT OF THE PEOPLE'S REPUBLIC OF CHINA ON THE IMPLEMENTATION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The People's Republic of China supports the three major objectives of the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the Treaty), namely, prevention of proliferation of nuclear weapons, promotion of nuclear disarmament and enhancement of international cooperation for the peaceful uses of nuclear energy. Since its accession to the Treaty in 1992, China has strictly abided by the provisions of the Treaty and has been making untiring efforts for the realization of these objectives. The People's Republic of China, as required by the Preparatory Committee for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, hereby reports on its implementation of the Treaty as follows.

I. PREVENTION OF PROLIFERATION OF NUCLEAR WEAPONS

China has faithfully fulfilled its obligations under the Treaty for the prevention of proliferation of nuclear weapons. It has always stood for the complete prohibition and thorough destruction of nuclear weapons and maintained the policy of not endorsing, encouraging or engaging in the proliferation of nuclear weapons, or assisting other countries in developing such weapons. At the same time, China maintains, while preventing nuclear weapons proliferation, one should not be oblivious of the legitimate rights, interests and demands of States, particularly the vast number of the developing countries, for the peaceful uses of nuclear energy. It is absolutely inadmissible to adopt double standards or, under the pretext of preventing nuclear weapons proliferation, to restrict or hamper the use of nuclear energy by developing countries for peaceful purposes.

China believes that the safeguards system of the International Atomic Energy Agency (IAEA) is an important means to ensure the effectiveness of the Treaty. China had committed itself to the obligations set out by the IAEA statute, including that of safeguards, even before acceding to the Treaty. After its accession in 1992, China has earnestly fulfilled all its obligations under the Treaty for safeguards and cooperated fully with IAEA in this regard. China adheres to three principles on nuclear export. First, the export should be exclusively for peaceful purposes. Second, the export should be subject to the IAEA safeguards and third, such export should not be retransferred to a third country without the consent of China. Besides, only companies specially designated by the Government of China are permitted to engage in such exports and the export applications are subject to approval by the competent government departments on a case-by-case basis. Any nuclear material or equipment exported by China is subject to the IAEA safeguards. China has never exported such sensitive technologies or equipment as those for uranium enrichment, reprocessing and heavy-water production.

To support the IAEA safeguards, China made an official announcement in November 1991 that it would notify IAEA of its export to and import from non-nuclear-weapon States of more than one effective kilogramme of nuclear material on a continuous basis. It further undertook in July 1993 to notify IAEA of all its import and export of nuclear materials and its export of nuclear equipment and related non-nuclear materials on a voluntary basis.

In 1985, China announced its decision to voluntarily put part of its civilian nuclear facilities under the safeguards of IAEA. In 1989, China and IAEA concluded the Agreement for the Application of Safeguards in China and hence has voluntarily offered IAEA a list of facilities for safeguards and established a system of accounting and control for nuclear materials under the safeguards. This system is supervised, managed and operated by the competent government departments, the authorities in charge of the facilities under the IAEA safeguards and other technical supporting agencies. The competent government departments are responsible for the overall administration and implementation of the safeguards agreement between China and IAEA, while the authorities in charge of the facilities concerned are responsible for the establishment of a measuring system, a recording and reporting system according to the agreement. Those facilities are open to the IAEA inspectors for on-site inspection.

II. INTERNATIONAL COOPERATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY

China holds that the peaceful uses of nuclear energy and international cooperation in this regard are an inalienable right of all States parties, the developing countries in particular, as it is also an important element for achieving a balance between rights and obligations under the Treaty. The effort to prevent nuclear weapon proliferation should facilitate rather than hamper the peaceful uses of nuclear energy. To enhance international cooperation for the peaceful uses of nuclear energy is one of the important objectives of the Treaty and, therefore, should be accorded the same importance as other objectives.

As a developing country with some nuclear industrial capabilities, China has strictly observed the relevant provisions of the Treaty and vigorously carried out mutually beneficial cooperation with other countries in the area of peaceful uses of nuclear energy. For that purpose, the Government of China has signed governmental agreements of cooperation on the peaceful uses of nuclear energy with 14 countries: Argentina, Belgium, Brazil, Canada, Germany, Iran (Islamic Republic of), Japan, Pakistan, Republic of Korea, Romania, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and the former Yugoslavia. It has provided as much assistance to the developing countries as possible in the areas of nuclear scientific research and the utilization of nuclear energy. China has exported a 300 MW nuclear power plant to Pakistan, miniature neutron source reactors to Ghana, the Islamic Republic of Iran, Pakistan and the Syrian Arab Republic and provided a heavy-water research reactor to Algeria. In the mean time, China has carried out cooperation with the developed countries. It has exported nuclear materials to Canada, France, Germany and the United States of America, while importing some advanced nuclear technology and facilities to meet its needs in energy development. With the in-depth implementation of the policy of reform and opening-up and the economic development, China will expand and strengthen its cooperation with the rest of the world in the area of peaceful uses of nuclear energy.

China and IAEA have carried out fruitful exchanges and cooperation in the fields of nuclear power plant construction, nuclear safety, irradiation and nuclear technology application. Thanks to the cooperation and support of IAEA, a number of training centres have been set up in China, which have helped improve the long-term training capacity of the country. The technical standards of some laboratories have been updated and the professional level of the scientific and technological personnel has been raised. In its cooperation with IAEA, China attaches importance to two-way assistance. China has received scientists and technical personnel from the developing countries for study tours and training courses and has sent experts abroad upon request to render technical services and give lectures for trans-regional projects and international training courses.

China maintains that IAEA and the countries concerned should attach importance to increased technical assistance to and cooperation with the developing countries. Efforts should be made to remove those unreasonable restrictions on transfer of nuclear energy technology so as to help the developing countries master the technology for peaceful uses of nuclear energy and to create favourable conditions for the establishment of a new international cooperative relationship in the field of nuclear energy.

III. NUCLEAR DISARMAMENT

China maintains that the prevention of proliferation of nuclear weapons is not an end in itself, but an intermediate step towards the ultimate goal of complete prohibition and thorough destruction of nuclear weapons. China stands for the complete prohibition and thorough destruction of nuclear weapons in the same way as the prohibition of chemical and biological weapons, so as to free mankind of the threat of nuclear war, thus making a substantive contribution to world peace, security and stability.

Proceeding from this basic position, China maintains that the nuclear-weapon States should negotiate and conclude at an early date a treaty on the prohibition of nuclear weapons, thereby undertaking to ban and destroy all their nuclear weapons under effective international supervision. China appeals to other nuclear-weapon States to make an immediate and positive response.

China does not endorse the policy of nuclear deterrence. The nuclear weapons developed by China are solely for self-defence, never meant to threaten any other country. During the period of the nuclear arms race between the largest nuclear-weapon Powers in the cold war or any other period, China has always advocated the complete prohibition and thorough destruction of nuclear weapons and never taken part in the nuclear arms race. China has always exercised the utmost restraint with respect to the development of nuclear weapons and kept its nuclear arsenal to a minimum level.

China has also exercised restraint with regard to nuclear testing. It has conducted fewer such tests than any other nuclear-weapon State.

China has never taken part in an arms race in outer space.

China has actively participated in the negotiations on a comprehensive test-ban treaty at the Conference on Disarmament at Geneva and made its due contribution to the negotiation process.

China has adopted a positive attitude towards the negotiation and conclusion of a convention prohibiting the production of fissile materials for nuclear weapons. The Foreign Minister of China and the Secretary of State of the United States of America have signed a joint statement to promote the conclusion through negotiations of such a convention.

Since the first day when it came into possession of nuclear weapons, China has unilaterally and unconditionally pledged in explicit terms not to be the first to use nuclear weapons. For the purpose of initiating negotiations among the nuclear-weapon States on a treaty of mutual no-first-use of nuclear weapons, China has formally presented a draft treaty to the other four nuclear-weapon States, proposing that the five nuclear-weapon States start off the first round of consultations in Beijing.

President Jiang Zemin of China and President Yeltsin of the Russian Federation issued a joint statement in September 1994, reaffirming the commitment of both countries to the mutual no-first-use of nuclear weapons and declaring the detargeting of nuclear weapons under their respective control, away from each other. We hope that this will lead to a joint commitment of mutual no-first-use of nuclear weapons by all five nuclear-weapon States.

China has long undertaken unilaterally and unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones, and has actively worked for the conclusion of an international legal instrument to this effect. China supports the establishment on a voluntary basis and through consultations and respects the status of nuclear-weapon-free zones and zones free of weapons of mass destruction.

China signed on 21 August 1973 Additional Protocol II to the Treaty of Tlatelolco (Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean), pledging not to use or threaten to use nuclear weapons against that nuclear-weapon-free zone and countries in the zone under any circumstance, or to test, manufacture, produce, store, install or deploy nuclear weapons in those countries or in the region as a whole. It further undertakes not to pass its delivery vehicles of nuclear weapons through the territory of the countries in the zone, including their territorial waters and air space.

China signed on 10 February 1987 Additional Protocols II and III to the treaty of Rarotonga, undertaking to respect the status of the South Pacific as a nuclear-weapon-free zone and not to use or threaten to use nuclear weapons against that zone under any circumstance; nor will it carry out any nuclear weapon test in the region.

China welcomes and supports the efforts made by African countries to conclude a treaty on establishing the African nuclear-weapon-free zone.

At the request of Ukraine and Kazakhstan, China issued governmental statements in December 1994 and February 1995, respectively, to provide them with security assurances.

China issued a statement on 5 April 1995, reaffirming the provision of negative security assurances to all non-nuclear-weapon States and undertaking to provide positive security assurances to those States as well.

In order to push forward the process of nuclear disarmament, China presented at the forty-ninth session of the United Nations General Assembly a whole set of interrelated proposals on nuclear disarmament. These proposals, among other things, call on nuclear-weapon States immediately to negotiate and conclude a treaty on mutual no-first-use of nuclear weapons, to undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones, to conclude a comprehensive test-ban treaty and a convention on the complete prohibition of nuclear weapons. These proposals also call for the conclusion of a convention banning the production of fissile materials for nuclear weapon purposes. China is ready to join other countries in an effort to advance the process of nuclear disarmament so as to attain the lofty goal of the complete prohibition and thorough destruction of nuclear weapons.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/19
18 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 17 APRIL 1995 FROM THE ALTERNATE HEAD OF THE INDONESIAN DELEGATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

On behalf of the group of non-aligned and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, I have the honour to transmit herewith a working paper on the 1995 Review and Extension Conference, which was adopted by the Senior Official Meeting of the Movement of Non-aligned States, held in New York on 12 and 13 April 1995.

I would highly appreciate it if the present letter and its annex could be circulated as an official document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and at the same time be made available to all States parties to the Treaty.

(Signed) Izhar IBRAHIM
Ambassador
Alternate Head of the Indonesian Delegation

Annex

WORKING PAPER OF THE GROUP OF NON-ALIGNED AND OTHER STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS ON THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY

INTRODUCTION

1. The non-aligned and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons consider the 1995 Review and Extension Conference of the Parties to the Treaty as a significant and unique opportunity to review in depth the performance of the Treaty during the past 25 years and to strengthen its regime in all its aspects in pursuit of the objectives of totally eliminating nuclear weapons, promoting peaceful uses of nuclear energy and achieving universal adherence to the Treaty, thereby enhancing international peace and security.

2. Such an exercise calls for a careful examination and realistic assessment of the obligations and responsibilities undertaken by both nuclear-weapon and non-nuclear-weapon States parties to the Treaty. The extent to which these objectives have been met constitutes an essential element for a decision on the length of the extension.

REVIEW

3. As already agreed, the review of the operation of the Treaty must precede the decision on its extension. Based on article VIII, paragraph 3, of the Treaty, the review process should assess and determine the extent to which the purposes of the preamble and the provisions of the Treaty have been so far realized, so as to chart a future course of action for their full realization in the earliest time possible. Accordingly, the review process should be based on a balanced approach and should serve to identify the specific objectives to be achieved in the coming years with a view to enhancing the operation of and full compliance with the Treaty.

4. As has been consistently demanded by the Movement of Non-aligned States and also stipulated in the document for the third session of the Preparatory Committee (NPT/CONF.1995/PC.III/13) submitted by Indonesia on behalf of the group of non-aligned and other States, the following measures are essential to the strengthening as well as to the full realization and effective implementation of the objectives of the Treaty:

Nuclear disarmament

(a) Immediate cessation of the nuclear arms race, leading to nuclear disarmament and the attainment of general and complete disarmament under strict and effective international control;

(b) An immediate conclusion and implementation of a universal, internationally and effectively verifiable comprehensive test-ban treaty;

(c) A legally binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons;

(d) A non-discriminatory and universally applicable treaty banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices;

(e) A programme of action for significant reduction of nuclear weapons, leading to total elimination of such weapons and their delivery vehicles within a time-bound framework;

Security assurances

(f) A legally binding instrument on effective, unconditional and comprehensive security assurances, both positive and negative, to non-nuclear-weapon States;

Nuclear-weapon-free zones

(g) Facilitating the establishment of nuclear-weapon-free zones and full adherence by all nuclear-weapon States to the instruments relating to such zones;

Peaceful uses of nuclear energy

(h) Full and unimpeded access to nuclear technology for peaceful purposes for all the States parties without discrimination;

(i) Application of comprehensive and strengthened IAEA safeguards to all nuclear activities and facilities;

Universality

(j) All efforts must be made for ensuring the universality of the Treaty.

EXTENSION

5. Any decision to be taken in accordance with article X, paragraph 2, of the Treaty should be based on the proper review of the operation of the Treaty, which should ensure the realization of the purposes of the preamble and provisions of the Treaty and lead to its universality in the near future. For this reason, that decision should faithfully reflect the spirit and the letter of article X, paragraph 2, and be characterized by:

(a) Consensus, in the interest of strengthening the Treaty;

(b) Recognition of the legitimate concerns of all States parties;

(c) Compatibility with the Treaty's stated objectives;

(d) An effective period review by the States parties for continued and close scrutiny to ensure full implementation of the Treaty leading to the total mination of nuclear weapons.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/20
19 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 17 APRIL 1995 FROM THE REPRESENTATIVES OF FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

We have the honour to forward to you the text of a declaration by France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America in connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

We should be grateful if you would kindly take the appropriate steps to register the present letter and its annex as a document of the 1995 Review and Extension Conference of the Parties to the Treaty, and to have it distributed to the participants in the Conference.

(Signed) Gerard ERRERA
Ambassador
France

(Signed) Grigori V. BERDENNIKOV
Ambassador
Russian Federation

(Signed) Sir Michael WESTON
Ambassador
United Kingdom of Great Britain
and Northern Ireland

(Signed) Stephen J. LEDOGAR
Ambassador
United States of America

Annex

DECLARATION DATED 6 APRIL 1995 BY FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

We wish to express our continuing strong support for the Treaty on the Non-Proliferation of Nuclear Weapons, our desire that the forthcoming Review and Extension Conference in New York should decide on its indefinite and unconditional continuation in force and our determination to continue to implement fully all the provisions of the Treaty, including those in article VI.

We welcome the fact that the nuclear arms race has ceased and that, in keeping with the fundamental changes that have taken place with respect to international security, important steps have been taken towards nuclear disarmament, as a result of the agreements on deep reductions in the nuclear armaments of the Russian Federation and the United States of America, as well as the significant reductions made by France and the United Kingdom of Great Britain and Northern Ireland in their nuclear weapon programmes.

We welcome the important progress made at the Conference on Disarmament in the multilateral negotiations on a comprehensive nuclear test-ban treaty to which we are all contributing actively.

We also welcome the establishment by the Conference on Disarmament of an Ad Hoc Committee with a mandate to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. We urge that the negotiations begin forthwith.

We underline the importance of the harmonized security assurances which we have given to non-nuclear-weapon States parties to the Treaty against the use of nuclear weapons, as well as the commitments as regards the provision of appropriate assistance to a non-nuclear-weapon State party to the Treaty victim of aggression or threat of aggression with nuclear weapons. We believe that these strengthen international peace and security.

We solemnly reaffirm our commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains our ultimate goal.

We reaffirm our determination to continue to negotiate intensively, as a high priority, a universal and multilaterally and effectively verifiable comprehensive nuclear test-ban treaty, and we pledge our support for its conclusion without delay.

We call upon all States parties to the Treaty to make the treaty permanent. This will be crucial for the full realization of the goals set out in article VI.

We call upon all States that are not parties to the Treaty to accede to it soon, thereby contributing to the enhancement of both regional and global security.

A truly universal and fully implemented Treaty is in the interests of all.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/21
20 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

MULTILATERAL NUCLEAR SUPPLY PRINCIPLES

Working paper submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee

INTRODUCTION

1. Main Committee II, one of three main committees of the 1990 Review Conference of the Parties to the Non-Proliferation Treaty (NPT), was responsible for reviewing the implementation of the Treaty in the areas of the non-proliferation of nuclear weapons and safeguards, in particular articles I, II and III and related preambular paragraphs. While the Conference did not adopt a final document, Main Committee II agreed on language pertaining to a number of ideas and proposals concerning these matters. The purpose of the present paper is to provide background and an update on developments since that time in one area addressed by Main Committee II, namely, nuclear supply.

2. Main Committee II recognized that the "non-proliferation and safeguards principles in the Treaty are essential for peaceful nuclear commerce and cooperation". By giving all States confidence that nuclear cooperation will take place in a manner consistent with the Treaty's objectives, the non-proliferation and safeguards principles of the Treaty facilitate such cooperation. Both nuclear suppliers and recipients are assured that supply will be used for strictly peaceful purposes, thereby helping to enhance global and regional stability.

3. The Committee agreed upon several important nuclear supply proposals. First, it noted the work of the NPT Exporters Committee, an informal group that has become known as the Zangger Committee, in interpreting article III, paragraph 2, of the Treaty, and urged all States to adopt its requirements for nuclear supply. By joining the Treaty, parties have already undertaken the obligations of article III, paragraph 2. This paper addresses this aspect of Main Committee II's language.

4. Second, Main Committee II recommended that parties to the Treaty consider further ways to improve measures to prevent diversion of nuclear technology for nuclear weapons. Main Committee II itself identified two such ways. It urged nuclear supplier States to require acceptance by non-nuclear-weapon States of IAEA safeguards on all their peaceful nuclear activities as a condition for nuclear supply under new arrangements. It also called on States to coordinate their controls on the supply of equipment and material that are not identified under article III, paragraph 2, but are still relevant to nuclear weapons proliferation. The present paper presents information on the Zangger Committee's activities.

ZANGGER COMMITTEE

Article III, paragraph 2

5. Article III, paragraph 2, of the Treaty performs a vital function in helping to ensure the peaceful use of nuclear material and equipment. Specifically, it provides:

> "Each State party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article (IAEA safeguards)."

6. The main significance of this paragraph is that parties to the Treaty should not export nuclear commodities to non-nuclear-weapon States not parties to the Treaty, unless the export itself is subject to IAEA safeguards. This is an important provision because frequently such recipient countries have accepted no other nuclear non-proliferation obligations. By interpreting and implementing article III, paragraph 2, the Zangger Committee helps to prevent the diversion of safeguarded nuclear material from peaceful purposes to nuclear weapons or other nuclear explosive devices, which furthers the objectives of the Treaty and enhances the security of all parties to it.

Zangger Committee understandings

7. Between 1971 and 1974 a group of 15 States - some already parties to the Treaty, others prospective parties - held a series of informal meetings in Vienna chaired by Professor Claude Zangger of Switzerland. As suppliers or potential suppliers of nuclear material and equipment, their objective was to reach a common understanding on:

(a) The definition of what constituted "equipment or material especially designed or prepared for the processing, use or production of special fissionable material" (as it was not defined anywhere in the Treaty);

(b) The conditions and procedures that would govern exports of such equipment or material in order to meet the obligations of article III, paragraph 2, on a basis of fair commercial competition.

8. The group, which came to be known as the Zangger Committee, decided that its status was informal and that its decisions would not be legally binding upon its members.

9. In 1974, the Committee reached consensus on basic "understandings" contained in two separate memoranda. Together, these memoranda form the guidelines of the Zangger Committee today. Each memorandum defines and provides for export controls on a category of commodities described in article III, paragraph 2; the first memorandum concerns source and special fissionable material (article III, paragraph 2 (a)), the second, equipment and material especially designed or prepared for the processing, use or production of special fissionable material (article III, paragraph 2 (b)).

10. The consensus which formed the basis of the Committee's understandings was formally accepted by individual States members of the Committee by an exchange of notes among themselves. These amounted to unilateral declarations that the understandings would be given effect through respective domestic export control legislation.

11. Memorandum A defines the following categories of nuclear material:

(a) Source material: natural or depleted uranium and thorium;

(b) Special fissionable material: plutonium-239, uranium-233, uranium enriched in the isotopes 235 or 233.

12. Memorandum B, as clarified since 1974 (see below), contains plants, equipment and material in the following categories: nuclear reactors, non-nuclear materials for reactors, reprocessing, fuel fabrication, uranium enrichment, and heavy water production.

13. To fulfil the requirements of article III, paragraph 2, the Zangger Committee "understandings" contain three basic conditions of supply for these items:

(a) For exports to a non-nuclear-weapon State not party to the Treaty, source or special fissionable material either directly transferred, or produced, processed, or used in the facility for which the transferred item is intended, shall not be diverted to nuclear weapons or other nuclear explosive devices;

(b) For exports to a non-nuclear-weapon State not party to the Treaty, such source or special fissionable material, as well as transferred equipment and non-nuclear material, shall be subject to safeguards under an agreement with IAEA;

(c) Source or special fissionable material, and equipment and non-nuclear material shall not be re-exported to a non-nuclear-weapon State not party to the Treaty unless the recipient State accepts safeguards on the re-exported item.

14. The understandings were formally accepted by individual States members of the Committee in an exchange of notes among themselves. In parallel with this procedure, most member States wrote identical letters to the Director General of

IAEA informing him of their decision to act in conformity with the conditions set out in the understandings. These letters also asked the Director General to communicate their decision to all States members of the Agency, which he did in INFCIRC/209, dated 3 September 1974.

"Trigger list" and its clarification

15. As consolidated in 1990, the two memoranda became known as the "trigger list", since the export of listed items "triggers" IAEA safeguards. In other words, as described above, they will be exported only if (1) the transferred equipment or source or special fissionable material or (2) the material produced, processed or used in the facility for which the item is supplied is subject to safeguards under an agreement with IAEA.

16. Attached to the trigger list is an annex "clarifying", or defining the equipment and material of memorandum B in some detail. The passage of time and successive developments in technology have meant that the Committee is regularly engaged in considering possible revisions to the trigger list, and the original annex has thus become increasingly detailed. To date, six clarification exercises have taken place, and another is under way. Clarifications are conducted on the basis of consensus, using the same procedure followed in the adoption of the original understandings.

17. A summary of these clarifications reflects both some detail on the contents of the trigger list and an idea of the work of the Zangger Committee (dates are for publication of modifications of INFCIRC/209):

(a) In December 1978, the annex was updated to add heavy water production plants and equipment, and a few specific items of isotope separation equipment for uranium enrichment;

(b) In February 1984, further detail was added to the annex to take account of technological developments during the preceding decade in the area of uranium enrichment by the gas centrifuge process;

(c) In August 1985, a similar clarification was made to the annex section on irradiated fuel reprocessing;

(d) In February 1990, the uranium enrichment section was further elaborated by the identification of items of equipment used for isotope separation by the gaseous diffusion method;

(e) In May 1992, specific items of equipment were added to the section on heavy water production;

(f) In April 1994, the enrichment section of the annex was subject to its most significant expansion yet. Existing portions of the section were updated, and detailed lists of equipment were added for the enrichment processes of aerodynamic, chemical and ion exchange, laser-based, plasma and electromagnetic separation. A significant modification was also made to the entry for primary coolant pumps.

Currently, the Zangger Committee is reviewing the sections on reactors and fuel fabrication to determine whether clarification of these sections is warranted.

Membership

18. All Zangger Committee members are parties to the Treaty capable of supplying trigger list items. Currently there are 29 members (Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovak Republic, South Africa, Spain, Sweden, Switzerland, United Kingdom, United States). Any party that is an actual or potential nuclear supplier and is prepared to implement the Committee's understandings is eligible for membership. Decisions to invite new members of the Committee are taken by consensus of the existing members. In the interest of strengthening the Treaty and the nuclear non-proliferation regime in general, Zangger Committee members have urged parties to the Treaty that are nuclear suppliers to consider seeking membership. Parties interested in doing so may contact the Chairman of the Committee (Dr. F. W. Schmidt of Austria), the secretariat (the United Kingdom Mission in Vienna), or any State member of the Committee.

Zanger Committee and NPT conferences

19. The introductory section referred to language agreed upon by Main Committee II in 1990. Previous NPT review conferences also adopted language on the activities of the Zangger Committee in their final documents. These statements are found in the attachment to the present paper.

20. At the first NPT Review Conference in 1975, a brief paragraph in the final document referenced the work of the Zangger Committee without naming it. Paraphrasing, that paragraph stated that, with regard to the implementation of article III, paragraph 2, the Conference noted that a number of nuclear suppliers had adopted certain minimum requirements for IAEA safeguards in connection with their nuclear exports to non-nuclear-weapon States. The Conference went on to attach particular importance to the fact that those suppliers had established as a supply condition an undertaking of non-diversion to nuclear weapons.

21. In 1980, the Review Conference produced no consensus final document. However, in 1985, the Final Document contained a short reference to the Committee's activities, again without naming it. This time the Conference in effect endorsed the main activity of the Zangger Committee by indicating that further improvement of the trigger list should take account of advances in technology.

22. Portions of the language agreed upon by Main Committee II in 1990 have already been summarized, but it is important to note that it mentioned the Zangger Committee by name and provided a brief description of its aims and practices. Main Committee II observed that Zangger Committee members have met regularly to coordinate the implementation of article III, paragraph 2, and have adopted nuclear supply requirements and a trigger list. It recommended that this list be reviewed periodically to take into account advances in technology

and changes in procurement practices, a recommendation that the Zangger Committee has continued to pursue. Main Committee II also urged all States to adopt the Zangger Committee's requirements for any nuclear cooperation with a non-nuclear-weapon State not party to the Treaty.

Attachment

REFERENCES TO ZANGGER COMMITTEE ACTIVITIES IN NPT REVIEW CONFERENCE DOCUMENTS

First NPT Review Conference (1975)

A paragraph in the Final Document referenced the work of the Zangger Committee without naming it:

> "With regard to the implementation of article III, paragraph 2, of the Treaty, the Conference notes that a number of States suppliers of material or equipment have adopted certain minimum, standard requirements for IAEA safeguards in connection with their exports of certain such items to non-nuclear-weapon States not parties to the Treaty (IAEA document INFCIRC/209 and addenda). The Conference attaches particular importance to the condition, established by those States, of an undertaking of non-diversion to nuclear weapons or other nuclear explosive devices, as included in the said requirements." (NPT/CONF/35/I, annex I)

Third NPT Review Conference (1985)

The 1980 NPT Review Conference produced no final document, but the 1985 Final Document contained a reference to the Committee without naming it:

> "The Conference believes that further improvement of the list of materials and equipment which, in accordance with article III, paragraph 2, of the Treaty, calls for the application of IAEA safeguards should take account of advances in technology." (NPT/CONF.III/64/I, annex I, para. 13)

Fourth NPT Review Conference (1990)

While the Conference did not adopt a final document, Main Committee II did agree on a number of ideas and proposals, including the following language on the Zangger Committee:

> "The Conference notes that a number of States parties engaged in the supply of nuclear material and equipment have met regularly as an informal group which has become known as the Zangger Committee in order to coordinate their implementation of article III, paragraph 2. To this end these States have adopted certain requirements, including a list of items triggering IAEA safeguards, for their export to non-nuclear-weapon States not parties to the Treaty, as set forth in IAEA document INFCIRC/209 as revised. The Conference urges all States to adopt these requirements in connection with any nuclear cooperation with non-nuclear-weapon States not parties to the Treaty. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time to take into account advances in technology and changes in procurement practices. The Conference recommends the States parties to consider further ways to improve the measures to prevent diversion of nuclear technology for nuclear weapons, other nuclear explosive purposes or nuclear weapon

capabilities. While recognizing the efforts of the Zangger Committee in the non-proliferation regime, the Conference also notes that items included in the 'trigger list' are essential in the development of nuclear energy programmes for peaceful uses. In this regard, the Conference requests that the Zangger Committee should continue to take appropriate measures to ensure that the export requirements laid down by it do not hamper the acquisition of such items by States parties for the development of nuclear energy for peaceful uses." (NPT/CONF.IV/DC/1/Add.3(a), para. 27)

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/22
20 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 18 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit herewith the text of a statement of the Ministry of Foreign Affairs of the Republic of Bulgaria in connection with the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, dated 14 April 1995.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Slavi Zh. PASHOVSKI
Ambassador
Permanent Representative of
Bulgaria to the United Nations

Annex

STATEMENT OF THE MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF BULGARIA ON THE OCCASION OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

In connection with the opening of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Ministry of Foreign Affairs of the Republic of Bulgaria declares that Bulgaria views the Treaty on the Non-Proliferation of Nuclear Weapons as a cornerstone of the global regime of non-proliferation of weapons of mass destruction and is committed to its indefinite and unconditional extension.

The Republic of Bulgaria considers the international treaties in the field of nuclear disarmament and the prevention of the proliferation of nuclear weapons to be achievements of historical significance and supports all efforts of the international community aimed at their strict implementation.

The Ministry of Foreign Affairs of the Republic of Bulgaria would like to express Bulgaria's firm belief that confidence in the international system of nuclear non-proliferation is not possible without complete transparency of the nuclear programmes of all States. Therefore, cooperation with the International Atomic Energy Agency (IAEA), which exercises control over the peaceful uses of atomic energy, is gaining increasing importance.

The observance of the safeguards agreements concluded with IAEA provides for international control over the fulfilment on the part of the States of their obligations under the Treaty. The Republic of Bulgaria views the IAEA safeguards system as a key element of the international system of nuclear non-proliferation and supports all constructive ideas regarding its strengthening.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/23
21 April 1995
ENGLISH
ORIGINAL: SPANISH

New York, 17 April-12 May 1995

LETTER DATED 20 APRIL 1995 FROM THE UNDER SECRETARY FOR MULTILATERAL AFFAIRS AND HEAD OF THE DELEGATION OF MEXICO ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit to you herewith a working paper which my delegation proposes should be annexed to whatever decision is adopted on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons.

I should be grateful if you would have the text circulated as a working paper of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Sergio GONZALEZ GALVEZ
Ambassador
Under Secretary for
Multilateral Affairs
Head of Delegation

Annex

MEXICO: WORKING PAPER TO BE ANNEXED TO WHATEVER DECISION IS TAKEN ON THE EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

1. Comprehensive nuclear test-ban treaty

1. The States Parties undertake to make every effort to ensure that the Conference on Disarmament concludes a comprehensive nuclear-test-ban treaty as soon as possible, but in any case not later than 1996.

2. At the same time, nuclear-weapon States are urged to maintain or adopt, without any exception, a moratorium on nuclear testing until the treaty enters into force.

2. Fissionable material

3. The Conference on Disarmament is urged to initiate as soon as possible negotiations on a treaty banning production of fissile material having military purposes, including possible consideration of material already stockpiled.

3. Assurances to non-nuclear-weapon States

4. Considering that resolution 984 (1995) of the Security Council constitutes a step towards giving security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, it is necessary to bear in mind the relevant General Assembly resolutions on the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

5. Accordingly, States Parties shall encourage consideration of this item as a matter of priority both in the Security Council and in the General Assembly, with a view to supplementing the necessary assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all the proposals and suggestions that have been made on the subject. In this regard, a legally binding agreement remains the most appropriate option.

4. Safeguards system of the International Atomic Energy Agency

6. It is necessary to bear in mind the importance of strengthening the existing safeguards regime of the International Atomic Energy Agency (IAEA) on the basis of the proposal submitted by the Director General of the Agency, taking into account the relevant comments made by the various States in the Board of Governors of IAEA, and through agreements duly spelling out the powers of IAEA and the obligations of States.

5. Nuclear disarmament

7. Bearing in mind the statements made during the Conference by the nuclear-weapon States, the latter are urged to cease all production of nuclear weapons and to redouble their efforts to reduce their respective arsenals with a view to totally eliminating them.

6. Criteria for strengthening the review mechanism of the Treaty on the Non-Proliferation of Nuclear Weapons

8. Based on the spirit and letter of the Treaty on the Non-Proliferation of Nuclear Weapons, especially article VIII, paragraph 3 thereof, which establishes the possibility of holding conferences to evaluate the Treaty every five years, it is resolved:

> To hold conferences every five years, as of this date, with the aim of evaluating the implementation of the Treaty.
>
> To transmit a proposal to the Depositary Governments in order to convene the first such conference in the year 2000, and to do likewise for subsequent meetings.

9. The conferences shall have the following characteristics; they shall:

(a) Retain the structure of the review meetings, by establishing three main committees which shall review how each one of the Treaty's provisions has been implemented and how this can be strengthened, in order to preserve the balance of obligations undertaken in it;

(b) Seek to establish specific objectives so as to attain full compliance with each and every provision of the Treaty and its Preamble, including, whenever possible, by setting goals with specific time-frames;

(c) Establish mechanisms in order to conduct negotiations on specific items between one conference and the next;

(d) As its first task, the conference of the year 2000 shall evaluate compliance with the commitments undertaken at the 1995 Conference and the steps taken to achieve the Treaty's universality.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/24
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 21 APRIL 1995 FROM THE HEAD OF THE DELEGATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to forward to you the text of a paper providing information on the activities and views of the United Kingdom of Great Britain and Northern Ireland on the three underlying objectives of the Treaty on the Non-Proliferation of Nuclear Weapons: to prevent the further spread of nuclear weapons; to provide a sound basis for international cooperation in the peaceful uses of nuclear energy; and to encourage negotiations in good faith on effective measures relating to disarmament.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(*Signed*) Sir Michael WESTON
Ambassador
Head of delegation

Annex

THE UNITED KINGDOM AND THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

INTRODUCTION

1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) reflects three underlying objectives: to prevent the further spread of nuclear weapons; to provide a sound basis for international cooperation in the peaceful uses of nuclear energy; and to encourage negotiations in good faith on effective measures relating to disarmament. This paper provides information about the United Kingdom's activities and views in these three areas, and outlines the conclusions which the United Kingdom believes the Conference should reach when reviewing the Treaty's operation and taking its decision on the extension of the Treaty's duration.

A. Preventing the spread of nuclear weapons

2. Several articles of the Treaty are particularly relevant to this underlying objective. Articles I and II of the Treaty contain the basic obligations by which the nuclear-weapon States and non-nuclear-weapon States respectively are obligated to prevent the spread of nuclear weapons or other nuclear explosive devices. Article III obligates the non-nuclear-weapon States to accept safeguards administered by the International Atomic Energy Agency (IAEA) on all nuclear material used in their peaceful nuclear activities, but in addition all the nuclear-weapon States parties have voluntarily agreed to accept safeguards administered by IAEA on some of their activities. Article VII acknowledges the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories, and article IX concerns provisions for adherence to the Treaty.

Article I

3. The United Kingdom takes its obligations under this article very seriously. It has not transferred to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices, directly or indirectly. Nor has it in any way assisted, encouraged or induced any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

4. The United Kingdom has in place a system of export controls designed to ensure that exports of nuclear items to non-nuclear-weapon States can be made only for legitimate non-explosive uses. These controls require exporters to obtain a licence to export certain items. The items now subject to control embrace all those items listed by the Zangger Committee in INFCIRC/209/Rev.1/Mods.1 and 2 and by the Nuclear Suppliers Group in INFCIRC/254/Rev.1/Part 1/Mods. 1, 2 and 3. In 1992 the United Kingdom supported

the introduction by members of the Nuclear Suppliers Group of a list of controlled dual-use items (set out in INFCIRC/254/Rev.1/Part 2).

5. The fact that the United Kingdom, along with other suppliers, makes these items subject to control does not mean that they cannot be exported at all. Controls exist to help prevent the export of items to States that might use them in a nuclear weapons programme. This is in the interests of all parties to the Treaty. The United Kingdom remains convinced that effective export controls support the objectives of the Treaty.

6. In practice, denials of licences for the export of controlled items have been rare. From 1991 to 1994 inclusive there were 699 applications to export controlled nuclear items from the United Kingdom. Only 25 of these applications were refused, of which 21 concerned applications to export items to non-parties to the Treaty.

Article II

7. The United Kingdom has advocated and supported a number of actions taken by the international community in order to ensure compliance with this and other articles by certain States.

8. The United Kingdom helped to devise, and strongly supports, all the Security Council resolutions designed to deal with Iraq's nuclear weapons programme (and its programmes for other weapons of mass destruction and missiles). The United Kingdom has therefore been an active contributor to the work of the United Nations Special Commission and IAEA in implementing those resolutions. The United Kingdom welcomes the progress that they have now made, but continues to have doubts about the extent of Iraqi compliance with those resolutions.

9. The United Kingdom has also supported all efforts to ensure that the Democratic People's Republic of Korea honours its safeguards obligations. It has supported IAEA in its dealings with the Democratic People's Republic of Korea and the various actions taken by the Security Council. The United Kingdom hopes that the problems which have arisen can now be resolved as a result of the signature of the Agreed Framework in October 1994 by the United States of America and the Democratic People's Republic of Korea. The United Kingdom has demonstrated its willingness to make that approach work by announcing a contribution towards the funding of the Korean Peninsula Energy Development Organization established as a result of the Agreed Framework.

10. The United Kingdom believes that the difficulties which have arisen in relation to Iraq and the Democratic People's Republic of Korea demonstrate the importance of the Security Council taking appropriate measures in respect of non-compliance by States with their nuclear non-proliferation obligations, including their safeguards obligations. In this respect the United Kingdom stresses the importance of the following key passage in the presidential statement which the Security Council authorized the British Prime Minister to make on its behalf on 31 January 1992:

> "The proliferation of all weapons of mass destruction constitutes a threat to international peace and security. The members of the Council commit themselves to working to prevent the spread of technology related to the research for or production of such weapons and to take appropriate action to that end.
>
> "On nuclear arms proliferation, the members of the Council note the importance of the decision of many countries to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and emphasize the integral role in the implementation of that Treaty of fully effective IAEA standards, as well as the importance of effective export controls. The members of the Council will take appropriate measures in the case of any violations notified to them by the Agency."

Article III

Safeguards in non-nuclear-weapon States parties

11. Pursuant to article III, paragraph 1, of the Treaty, IAEA has concluded a series of safeguards agreements designed to verify that nuclear material in non-nuclear-weapon States parties to the Treaty is not diverted to nuclear weapons or other nuclear explosive devices. A model agreement is set out in INFCIRC/153 (corrected). The United Kingdom fully supports both this safeguards system and the excellent work of IAEA in administering it.

12. The United Kingdom also recognizes that the Iraqi experience revealed certain weaknesses in this existing system of safeguards, particularly the fact that it was not really designed to root out undeclared activities related to the acquisition of nuclear material for weapons purposes. The United Kingdom fully supports the recent and continuing efforts to strengthen the system, so as to provide improved assurance about the absence of such undeclared activities.

13. A first programme of strengthening measures was proposed by the European Union in September 1991. As part of this an important step was taken when the IAEA Board of Governors reaffirmed in February 1992 the Agency's right to undertake "special inspections". Another important step was taken in December 1992 when the Board of Governors put in hand a wide-ranging review of the safeguards system (known as the "93 + 2" programme).

14. The United Kingdom has contributed actively to the discussions and studies arising from the "93 + 2" programme and welcomes the initial proposals resulting from it which the Director General presented to the Board of Governors at its meeting in March 1995. The United Kingdom was encouraged by the Board's positive response to these proposals at that meeting. It is in the interests of all NPT parties that the Agency should have the means to provide greater assurance about the absence of undeclared activities.

15. Efficiency is important as well as effectiveness. The United Kingdom welcomes the efficiency improvements already made by IAEA, as well as those proposed as part of the "93 + 2" programme. They will help to ensure that the Agency has sufficient resources to discharge its safeguards responsibilities at

a time when they are being applied to increasingly complex plants and extended to a significant number of new non-nuclear-weapon States parties to the Treaty.

16. The United Kingdom, with other exporting parties, has always required recipient non-nuclear-weapon States to accept safeguards on nuclear material in accordance with article III, paragraph 2. In 1992 the Nuclear Suppliers Group agreed that, subject to limited exceptions for safety reasons, new nuclear exports should not be made to a non-nuclear-weapon State unless it has an agreement with IAEA requiring the application of safeguards on all nuclear material in its peaceful nuclear activities, a requirement long sought by many non-nuclear-weapon States parties to the Treaty.

17. As part of its wider support for the IAEA safeguards system the United Kingdom has provided the Agency with substantial assistance on a variety of topics. Examples include assistance with techniques for safeguarding reprocessing facilities and gas centrifuge plants. The United Kingdom has also been involved, both bilaterally and with others, including IAEA, in meeting requests for assistance on safeguards issues from a number of States, including some of the non-nuclear-weapon States which have recently concluded safeguards agreements with the Agency.

Safeguards in the United Kingdom

18. In addition to supporting the IAEA safeguards system as it applies to non-nuclear-weapon States parties, the United Kingdom, in fulfilment of the Voluntary Offer it made during the negotiation of the Treaty, has concluded its own safeguards agreement with IAEA and the European Atomic Energy Community (EURATOM). This agreement is set out in INFCIRC/263.

19. Under this tripartite safeguards agreement civil nuclear material in the United Kingdom is reported to IAEA via EURATOM (which, under the 1957 EURATOM Treaty, applies a regional system of safeguards on all civil nuclear material throughout the European Union, including on all civil nuclear material in the United Kingdom). In addition, the United Kingdom provides IAEA with a list of facilities which it may choose to designate for inspection. At present IAEA has designated for inspection spent fuel storage ponds and plutonium stores at Sellafield and the gas centrifuge enrichment plant at Capenhurst. The same IAEA safeguards criteria are applied in the case of inspections in the United Kingdom as in the case of inspections elsewhere, and the United Kingdom would be ready to accept inspection by IAEA of any other facilities on the list submitted to it were the Agency to find that helpful.

20. The United Kingdom's experience, both with EURATOM and IAEA safeguards, strongly supports its belief that safeguards can be implemented, and are implemented, in conformity with the requirements of article III, paragraph 3, of the Treaty. The United Kingdom therefore believes they do "avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities". Indeed, the United Kingdom firmly believes that the reassurance which safeguards provide is the essential foundation for international cooperation in the peaceful uses of nuclear energy.

Article VII

21. Article VII of the Treaty states: "Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories". There are now two treaties establishing nuclear-weapon-free zones in populated areas, the Treaty of Tlatelolco (which pre-dates NPT) and the Treaty of Rarotonga. Negotiations to establish an African nuclear-weapon-free zone are well advanced and other such zones have been proposed, for example for the Middle East.

22. The United Kingdom strongly supports the Treaty of Tlatelolco. It very much welcomes the fact that recent amendments to the Treaty have made it possible for Argentina, Brazil and Chile to bring it into force for themselves, and looks forward to the entry into force of the fullest possible zone of application in the near future. For its part the United Kingdom signed Protocols I and II to the Treaty in 1967 and ratified them in 1969. It has since signed a safeguards agreement with IAEA and EURATOM for those territories within the Tlatelolco Treaty zone for which it is de jure internationally responsible.

23. The United Kingdom gave careful consideration to the Treaty of Rarotonga, taking into account its security interests in the region and, more widely, the views of its allies and the regional States themselves, as well as the texts of the Treaty and the Protocols. Against this background the United Kingdom concluded that it would not serve its interest to become a party to the Protocols, but as a matter of policy the United Kingdom indicated that it would respect the intentions of the regional States as set out in Protocol I, reaffirmed in relation to Protocol II the negative security assurance given to non-nuclear-weapon States by the United Kingdom in 1978, and noted in connection with Protocol III that it had no intention of conducting nuclear tests in the South Pacific.

24. The United Kingdom welcomes the negotiations to establish an African nuclear-weapon-free zone, is closely engaged in contacts with the negotiators, and will determine its view of the proposed treaty once it has been finalized. The United Kingdom has also made clear its support for the establishment of both a Middle East nuclear-weapon-free zone and a Middle East zone free of weapons of mass destruction.

Article IX

25. The United Kingdom has a long-standing policy of encouraging all States to adhere to the Treaty and has actively lobbied all non-parties to do so, both in association with its European Union partners and acting on its own. It greatly welcomes the fact that since the 1990 Review Conference over 35 States have adhered to the Treaty. These accessions have greatly helped to sustain and strengthen the Treaty. They represent important steps towards the vital goal of securing universal adherence.

B. Encouraging the peaceful uses of nuclear energy

26. Two articles of the Treaty are primarily concerned with encouraging the peaceful uses of nuclear energy, articles IV and V.

Article IV

27. Article IV of the Treaty recognizes "the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty". It further commits all parties to "facilitate ... the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy". Finally, article IV calls for the development of the applications of nuclear energy for peaceful purposes, especially in non-nuclear-weapon States parties to the Treaty, "with due consideration for the needs of the developing areas of the world".

Role of the United Kingdom in the peaceful commercial uses of nuclear energy

28. The United Kingdom has been at the forefront of those States researching, producing and using nuclear energy for peaceful purposes, both domestically and internationally.

29. The United Kingdom opened an industrial-scale nuclear power station as early as 1956, using MAGNOX reactors. A series of MAGNOX nuclear power stations were subsequently built. They were followed by a number of nuclear power stations using advanced gas-cooled reactors. Most recently, in early 1995, the United Kingdom's latest nuclear power station began operating, using a pressurized water reactor. The United Kingdom's current nuclear power stations are owned and operated by Nuclear Electric plc in England and Wales and by Scottish Nuclear Ltd. in Scotland. Collectively they now generate over 25 per cent of the United Kingdom's electricity.

30. The United Kingdom's commitment to nuclear power has also encouraged the growth of associated industrial capabilities. British Nuclear Fuels plc is one of the world's leading nuclear fuel companies, with facilities capable of fabricating either natural or enriched uranium into fuel for a wide range of reactor types, storing spent fuel, reprocessing it, and handling waste products. It also has a one-third holding in URENCO Ltd., which has facilities for enriching uranium in the United Kingdom. The United Kingdom has sophisticated engineering and construction companies capable of building nuclear facilities, and is home to one of the world's largest producers of radioisotopes for medical and other purposes (Amersham International), as well as to a dynamic research and development organization with major nuclear and non-nuclear skills (AEA Technology). In addition to these major organizations there are many other United Kingdom companies which have important interests in the nuclear sphere. Over 70 companies are members of the British Nuclear Industry Forum (BNIF), the nuclear industry's trade association in the United Kingdom.

31. Most of these organizations have important world-wide interests. Nuclear Electric is engaged with others in seeking overseas business for the construction of new nuclear power stations. British Nuclear Fuels plc has reprocessing contracts with a number of European and Japanese utilities, and is also engaged in a wide range of other foreign business. A high percentage of Amersham International's products are exported. AEA Technology is doing business with many foreign countries and hoping to expand the number further. Other companies belonging to BNIF are also very active overseas. As foreign nuclear plants mature, the United Kingdom's proven experience in plant life extension, safety, environmental management and decommissioning is expected to become even more relevant than it already is.

32. In the civil nuclear, as in other fields, the United Kingdom is therefore deeply involved in exporting its expertise and products. It strongly supports the widespread use of nuclear energy for peaceful purposes.

Role of the United Kingdom in providing technical assistance

33. The IAEA background paper on its activities in relation to article IV provides information on the transfers of nuclear technology made as a result of the promotional element in its regular budget. This element amounts to about one third of the regular budget, to which the United Kingdom is a significant contributor. In addition to funding, the United Kingdom also contributes expertise and advice on all aspects of the promotional element in the IAEA regular budget.

34. The same IAEA background paper also gives a full account of the projects supported by the technical cooperation programme, which is the main vehicle for providing technical assistance to developing countries. As a strong supporter of this programme, the United Kingdom:

(a) Has an excellent record in paying its target share to the Technical Assistance and Cooperation Fund (99.72 per cent of its target share paid over the period 1985 to 1993, amounting to $17.8 million);

(b) Has committed $7.5 million since 1985 in additional voluntary contributions to fund footnote (a) projects;

(c) Has made in-kind contributions since 1985 worth almost $1 million;

(d) Has contributed to UNDP funds, some of which also support the IAEA technical cooperation programme.

35. The United Kingdom's additional voluntary contributions to fund footnote (a) projects have supported such diverse projects as: groundwater management to improve and preserve drinking water supplies in Ghana; breeding high-yield crops to increase food supply and cash exports in Mexico and El Salvador; improved radiotherapy for cancer treatment in Jordan; and increasing food safety through irradiation in Thailand. The United Kingdom is also a major donor to a project to eradicate the tsetse fly from Zanzibar in order to improve the health and productivity of cattle, so reducing hunger and

poverty. The United Kingdom will also support the spread of this sterile insect technique to mainland Africa.

36. The United Kingdom's in-kind contributions to the technical cooperation programme have taken many forms, including support to visiting fellows and scientists, the provision of experts, and the running of training courses. Support to visiting fellows and scientists usually takes the form of facilitating attendance at academic institutions, participation in research groups, on-the-job training in a specific technology, short visits to research institutes, or a combination of these. United Kingdom experts on assignment usually function as advisers, lecturers, or workshop participants in their field of expertise. Training courses cover a variety of subjects.

Article V

37. Article V is concerned with making available to non-nuclear-weapon States parties to the Treaty potential benefits from any peaceful applications of nuclear explosions. It is the United Kingdom's view that there are no useful peaceful applications of nuclear explosions, and it recalls that the NPT Review Conference in 1985 noted in its Final Declaration "that the potential benefits of the peaceful applications of nuclear explosions have not been demonstrated and that no requests for services related to the peaceful applications of nuclear explosions have been received by IAEA since the Second NPT Review Conference".

C. Pursuit of disarmament objectives

Article VI

38. This article of the Treaty reads:

> "Each of the parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

39. The United Kingdom has always maintained its nuclear forces at the minimum level it judged necessary to act as a deterrent to armed aggression. This remains as true today as it did throughout the years of the cold war. But clearly, the world in 1995 is a different place from what it was in 1970. Accordingly, the United Kingdom has adjusted its nuclear forces to reflect the improvements in the international security environment.

40. The United Kingdom has:

(a) Eliminated entirely its maritime tactical nuclear capability;

(b) Reduced the total number of its air-delivered nuclear bombs by more than half;

(c) Announced that the remainder of its air-delivered nuclear bombs will be withdrawn by the end of 1998;

(d) Decided that these bombs will not be replaced by another air-delivered system;

(e) Made clear that as a result it will have only one nuclear system;

(f) Stated that the total explosive power carried on each Trident submarine will not be much changed from its Polaris predecessor.

41. As a result of these developments, by the end of the 1990s the total number of warheads in the United Kingdom's stockpile will be 21 per cent lower than in the 1970s, and the total explosive power of those warheads will be 59 per cent lower. The total number of operational warheads in the United Kingdom's stockpile will be 30 per cent less than in the 1970s, and the total explosive power of those warheads will be 63 per cent lower. Further details are given in appendix A.

42. The United Kingdom has therefore already contributed directly to reductions in nuclear forces, and is continuing to do so. It has also made clear that a world in which the nuclear forces of the Russian Federation and the United States of America were numbered in hundreds rather than thousands would be one in which the United Kingdom would respond to the challenge of multilateral talks on the global reduction of nuclear arms. The United Kingdom, with other nuclear-weapon States, has also solemnly reaffirmed its commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains the United Kingdom's ultimate goal. The full text of the Declaration by France, the Russian Federation, the United Kingdom and the United States in connection with the NPT has been circulated as a Conference document (NPT/CONF.1995/20).

43. The United Kingdom is also strongly in favour of concluding a comprehensive test-ban treaty. It participated in the tripartite negotiations to achieve such a treaty between 1977 and 1980, and has for many years been an active contributor to the work of the Conference on Disarmament's Ad Hoc Group of Scientific Experts which has focused on how best to verify such a treaty. It is now playing a full and active role in the negotiations for a comprehensive test-ban treaty which began in January 1994. It welcomes the good progress that has been made so far in those negotiations and seeks their early conclusion. To facilitate this, the United Kingdom has recently agreed that there should be no exemption for "tests in exceptional circumstances", the so-called "safety tests".

44. The United Kingdom has been ready since the end of 1993 to enter negotiations for a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. It welcomes the recent agreement in March 1995 to establish an Ad Hoc Committee of the Conference on Disarmament to negotiate such a cut-off convention. To remove any doubts about its commitment to this negotiation the United Kingdom has announced that it has ceased the production of fissile material for explosive purposes.

45. The United Kingdom has also recognized that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them (negative security assurances) and for assurances of assistance if they are a victim of an act of aggression, or an object of a threat of aggression, in which nuclear weapons are used (positive security assurances). The United Kingdom gave a positive security assurance to non-nuclear-weapon States parties to the Treaty in 1968, which was welcomed by the Security Council in its resolution 255 (1968). In 1978 the United Kingdom also gave a negative security assurance to non-nuclear-weapon States parties to the Treaty. In response to continued concerns from non-nuclear-weapon States, and following consultations with other nuclear-weapon States, the United Kingdom made on 6 April 1995 the Declaration on security assurances attached as appendix B. The United Kingdom also played an active part in initiating and elaborating Security Council resolution 984 (1995), unanimously adopted on 11 April, in which the Council welcomed the enhanced positive security assurances given for the first time by all the nuclear-weapon States, as well as the new negative security assurances, four of which, including the United Kingdom's were given in common terms for the first time.

46. The United Kingdom has also supported many other measures which contribute to the goal of general and complete disarmament. For example, the United Kingdom fully supports the Biological and Toxin Weapons Convention concluded in 1972. It attaches great importance to States' full compliance with their obligations under that Convention and warmly welcomes the decision by States parties at the Special Conference in September 1994 to work on ways of strengthening the Convention. The United Kingdom also fully supports the Chemical Weapons Convention, which was opened for signature in 1993, and its early entry into force. It seeks universal adherence to both Conventions.

47. The United Kingdom has also been concerned about the destabilizing impact of missile proliferation and remains anxious to ensure that transfers and build-ups of conventional weaponry do not exceed levels legitimately required for self-defence. The United Kingdom therefore supports both the missile technology control regime and the various guidelines on conventional arms transfers which have been agreed by the permanent members of the Security Council, by the European Union, and by the Forum for Security and Cooperation of the Organization for Security and Cooperation in Europe (OSCE), formerly the Conference on Security and Cooperation in Europe. The United Kingdom also played a leading part in establishing the Register of Conventional Arms, which was set up with nearly unanimous support by the General Assembly in its resolution 46/36 L.

48. At a regional level, the United Kingdom has consistently sought verifiable reductions in conventional arms in Europe. It played a full part in the negotiations which led to the Treaty on Conventional Armed Forces in Europe (the CFE Treaty). This Treaty has already led to large reductions in military equipment levels in Europe. When it is fully implemented later this year, over 50,000 weapons will have been destroyed - an overall reduction of roughly 25 per cent in such equipment. The United Kingdom has also been strongly in favour of the Open Skies Treaty, and has consistently supported the development and implementation of confidence and security building measures through OSCE.

49. The United Kingdom also recognizes that the goal of general and complete disarmament is unlikely to be attained without a concomitant strengthening of all States' security. Within Europe the United Kingdom has played a full part in ensuring that OSCE, the North Atlantic Treaty Organization (NATO), the European Union and the Western European Union all adapt themselves to the end of the cold war in order to help achieve this goal. In this regard the United Kingdom notes in particular the Partnership for Peace programme initiated by NATO and the OSCE decision at its Budapest summit in December 1994 to start discussion on a model of common and comprehensive security for our region for the twenty-first century. The United Kingdom is participating fully both in the Partnership for Peace programmes and in the OSCE study. At a global level the United Kingdom has always been a strong supporter of the United Nations Organization. It welcomes the fact that since the end of the cold war the Security Council has been able to take decisions more readily and effectively on a range of global security problems.

50. In short, the United Kingdom has supported a range of practical and effective measures to further the Treaty's disarmament goals.

D. Review and extension

51. Articles VIII and X deal respectively with the review and extension of the Treaty, as well as with other matters.

Article VIII

52. The United Kingdom fully supports regular review conferences as provided for under article VIII. The United Kingdom recognizes the need to review implementation of the Treaty in all the three main areas discussed above.

53. At the same time the United Kingdom believes that the Treaty has substantial achievements to its credit:

(a) The Treaty has already secured the support of the greater part of the international community and continues to attract new parties, while new measures are in hand to help address compliance concerns;

(b) International cooperation in the peaceful uses of nuclear energy is now extensive, and in particular large amounts of technical assistance have been provided to developing States parties to the Treaty;

(c) Enormous progress has been made towards the international community's disarmament objectives since the entry into force of the Treaty.

54. The United Kingdom believes that any fair and dispassionate review of the Treaty's operation will conclude that it has contributed fundamentally:

(a) To the security of all States, by helping to prevent the widespread proliferation of nuclear weapons;

(b) To providing the framework of reassurance that is necessary if international cooperation in the peaceful uses of nuclear energy is to flourish;

(c) To the pursuit of the major disarmament goals sought by the entire international community.

Article X

55. Article X, paragraph 2, of the Treaty provides:

> "Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty".

56. The United Kingdom has carefully considered the options provided for in the Treaty. It has come to the conclusion that anything less than indefinite extension would not serve the interests of the international community. It would create a climate of uncertainty in an area of major importance for international security.

Conclusion

57. The United Kingdom therefore fully supports indefinite extension. This would:

(a) Send the strongest possible signal to the few remaining non-parties that the international community is determined to contain the spread of nuclear weapons;

(b) Entrench the framework of assurance which is necessary if international cooperation in the peaceful use of nuclear energy is to be maintained and developed;

(c) Create the best possible framework for further progress towards the disarmament goals of the Treaty.

Appendix A

SIZE OF THE UNITED KINGDOM'S NUCLEAR FORCES

	Reductions comparing the end of the 1990s with the 1970s (Percentage)	
	Warhead numbers	Explosive power
Stockpile a/	21	59
Operational b/	30	63

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a/ Including all warheads except those awaiting dismantlement.

b/ All warheads in the stockpile except those held as a necessary margin for maintenance and refurbishment work and for safety and reliability monitoring.

Appendix B

UNITED KINGDOM DECLARATION ON SECURITY ASSURANCES

(Made on 6 April 1995 by the Permanent Representative of
the United Kingdom to the Conference on Disarmament)

The Government of the United Kingdom believes that universal adherence to and compliance with international agreements seeking to prevent the proliferation of weapons of mass destruction are vital to the maintenance of world security. We note with appreciation that 175 States have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

We believe that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the international non-proliferation regime which has made an invaluable contribution to international peace and security. We are convinced that the Treaty should be extended indefinitely and without conditions.

We will continue to urge all States that have not done so to become parties to the Treaty.

The Government of the United Kingdom recognizes that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them. In 1978 we gave such an assurance. Assurances have also been given by the other nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Recognizing the continued concern of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the assurances given by nuclear-weapon States should be in similar terms, and following consultation with the other nuclear-weapon States, I accordingly give the following undertaking on behalf of my Government:

The United Kingdom will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

In giving this assurance the United Kingdom emphasizes the need not only for universal adherence to, but also for compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons. In this context I wish to make clear that Her Majesty's Government does not regard its assurance as applicable if any beneficiary is in material breach of its own non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

In 1968 the United Kingdom declared that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which are permanent members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the Charter of the United Nations, which calls for taking "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

I, therefore, recall and reaffirm the intention of the United Kingdom, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State, party to the Treaty on the Non-Proliferation of Nuclear Weapons, that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

This Security Council assistance could include measures to settle the dispute and restore international peace and security, and appropriate procedures, in response to any request from the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

If a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons is a victim of an act of aggression with nuclear weapons, the United Kingdom would also be prepared to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance.

The United Kingdom reaffirms in particular the inherent right, recognised under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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The delegation of the Russian Federation to the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons presents its compliments to the Secretary-General of the Conference, and has the honour to request him to distribute the attached national report on the implementation by the Russian Federation of the Treaty on the Non-Proliferation of Nuclear Weapons.

Annex

NATIONAL REPORT ON THE IMPLEMENTATION BY THE RUSSIAN FEDERATION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I. INTRODUCTION

1. The present report was prepared for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and contains information on the implementation by the Russian Federation of the various articles of the Treaty. The period covered by the report is essentially the five years that have elapsed since the Fourth Review Conference of the Parties to the Treaty.

2. As a State party to the Treaty and one of its depositaries, the Russian Federation considers that the Treaty has stood the test of time, and has become one of the strong foundations of the international security system. It has successfully weathered difficult situations and has confirmed its role as a vital instrument for containing the threat of the spread of nuclear weapons: Without the stability afforded by the Treaty in the nuclear sphere, it would be impossible to ensure either global or regional stability. The Treaty has created the conditions for irreversible movement along the road to disarmament, above all nuclear disarmament, and has reduced the risk of nuclear war. Lastly, it has guaranteed the development of broad international cooperation in the peaceful uses of nuclear energy.

3. The review of the application of the Treaty at the four conferences of parties that have been held has confirmed the lasting value of this vital international legal instrument. The 25 years that have elapsed since its entry into force have convincingly demonstrated the effectiveness of the balanced structure of obligations it contains. It is a necessity for all countries, large and small, nuclear and non-nuclear.

4. The Treaty must continue to function fully and effectively in the future as well. Accordingly, the main task of this Conference must be to decide on its indefinite and unconditional extension. The Russian Federation is convinced that this approach for the future will accurately reflect the major role the Treaty on the Non-Proliferation of Nuclear Weapons plays in today's interdependent world.

5. The following sections contain material describing the role of the Russian Federation in ensuring compliance with all the provisions and articles of the Treaty in the interests of its effective functioning. In view of the significance States parties attach to the discharge of the obligations relating to nuclear disarmament (art. VI and the preamble to the Treaty), the explanations relating to this subject are given at the beginning of the report, before the discussion of the discharge or obligations under the other articles.

II. PROGRESS IN NUCLEAR DISARMAMENT

6. The Russian Federation is committed to the objective of reducing nuclear forces to a minimum level which would ensure the prevention of large-scale war, the maintenance of strategic stability and, eventually, the complete elimination of nuclear weapons.

7. In recent years, considerable progress has been achieved at the talks on the halting of the nuclear arms race and nuclear disarmament. The leading role in this process is being played by the Russian Federation and the United States of America; they have concluded the Treaty on the Elimination of Their Intermediate-range and Shorter-range Missiles (the INF Treaty), the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I) and the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II), which are leading to a real reduction in these countries' nuclear forces.

8. In accordance with the 1987 INF Treaty, which deals with ground-based ballistic and cruise missiles with a range of between 500 and 5,500 kilometres, 1,846 missiles were destroyed in the former USSR, and 846 in the United States. Thus, by the end of May 1991 an entire class of nuclear weapons in the arsenals of the two Powers had been eliminated.

9. The START I Treaty entered into force on 5 December 1994. In the context of the reductions provided for in it and in implementation of the unilateral initiatives announced in October 1991 and January 1992, the Russian Federation and the United States have taken, by mutual agreement, a number of major steps as a result of which their nuclear potential has been still further reduced.

10. Thus, the Russian Federation:

- Has eliminated more than 600 intercontinental ballistic missile (ICBM) and submarine-launched ballistic missile (SLBM) launchers, as well as about 1,500 missiles for these launchers;

- Removed from the fighting strength of the Russian Navy 20 nuclear submarines with SLBM launchers;

- Taken heavy bombers off alert status, and placed their nuclear weapons in military supply depots;

- Destroyed about 50 heavy bombers;

- Conducted measures for the detargeting of strategic missiles under agreements concluded with the United States, the United Kingdom and China;

- Halted production of long-range sea-launched nuclear cruise missiles and of Tu-95 MS heavy bombers.

11. In all, the START I Treaty will result in approximately a 40 per cent reduction in the nuclear weapons of the Russian Federation and the United States over a seven-year period.

12. Unilateral disarmament initiatives are also continuing in the field of tactical nuclear weapons. As part of their implementation, the Russian Federation has withdrawn a large of its tactical nuclear weapons to centralized storage facilities and factory-located facilities in order to destroy them. In particular:

- All tactical nuclear weapons have been withdrawn from surface naval vessels, multi-purpose submarines and land-based naval aircraft, and placed in centralized storage facilities. One third of the total number of warheads for the Navy's sea- and air-launched tactical missiles will have been destroyed by the end of this year;
- All the tactical nuclear warheads previously deployed outside the Russian Federation have been returned to its territory, and a start has been made on eliminating them;
- Production of nuclear warheads for land-based tactical missiles, nuclear artillery shells and nuclear mines has been completely discontinued.

13. The START II Treaty was signed on 3 January 1993. It provides for still more significant reductions in the nuclear arsenals of both States. By the year 2000, the deadline for completion of the reductions provided for in the Treaty, the total level of strategic warheads for offensive arms in the possession of each of the parties will not exceed 3,000-3,500, including 1,700-1,750 SLBM warheads. By the same time, neither party will be entitled to possess ICBMs with multiple re-entry vehicles, and all heavy ICBMs will have been destroyed. The total reduction in strategic offensive arms will be approximately two thirds of the 1990 level.

14. However, that is not all. The Russian Federation and the United States have outlined large-scale new measures. At their meeting held in Washington on 27 and 28 September 1994, the Presidents of the Russian Federation and the United States signed a joint statement on strategic stability and nuclear security, under the terms of which the parties agreed to make efforts for the early implementation of the bilateral agreements on strategic arms reduction.

15. The Presidents instructed their experts to intensify discussion inter alia of the possibility, after the early ratification of START II, of further reductions of, and limitations on, remaining nuclear forces.

16. The Russian Federation took this step in the belief that, with deep cuts in the Russian and American nuclear arsenals taking place, there was now a need for other nuclear States to participate in the process of nuclear arms reduction and limitation.

17. Accordingly, at the forty-ninth session of the General Assembly the President of the Russian Federation, in his statement on 26 September 1994,

proposed that a treaty on nuclear security and strategic stability should be elaborated by the five nuclear-weapon States, providing for:

- Cessation of the production of fissionable materials for military purposes;

- Prohibition of the recycling for weapons purposes of the nuclear materials released as a result of disarmament;

- Further elimination of nuclear weapons;

- Reduction of strategic means of delivery.

18. Naturally, the new Russian initiative takes into account the fact that the arsenals of the five nuclear Powers currently differ in size. Accordingly, the proposed measures will be implemented in stages, taking into account the specifics of their nuclear potential.

19. The Russian Federation also advocates the drafting at the Conference on Disarmament of a multilateral convention on the non-discriminatory and verifiable prohibition of the production of fissile materials for nuclear weapons.

20. Not only all the nuclear Powers, but also countries potentially capable of producing nuclear explosive devices or possessing the relevant facilities, primarily for the enrichment of uranium and the processing of spent fuel, should become parties to such a convention.

21. The future agreement should create a barrier to the further production of high-enriched uranium and plutonium for nuclear weapons and should make provision for appropriate monitoring, for which purpose it is proposed that the nuclear materials and facilities of countries acceding to the convention should be placed under IAEA safeguards.

22. Progress has been made in the practical preparation for the start of negotiations on the subject in Geneva, in that their mandate has been agreed upon.

23. The Russian Federation, for its part, has halted production of weapons-grade uranium. A national programme for the halting of the production of weapons-grade plutonium is under way. Of the 13 reactors designed to process weapons-grade plutonium, six have been completely shut down. It is planned to discontinue operation of the remaining three by the year 2000, as replacement capacity becomes available for the generation of heat and electricity.

24. As is especially emphasized in the preamble to the non-proliferation Treaty, one of the most important steps towards complete nuclear disarmament is the discontinuance of nuclear-weapons tests for all time. A complete test ban will still further strengthen the regime for the non-proliferation of nuclear weapons.

25. Through its active participation in the multilateral negotiations within the framework of the Conference on Disarmament in Geneva, the Russian Federation is working for the earliest possible completion of the drafting of a non-discriminatory comprehensive nuclear-test-ban treaty subject to effective international verification. Speaking at the forty-ninth session of the General Assembly, the President of the Russian Federation advocated the signing of the treaty in 1995.

26. The success of the negotiations does not depend only on the Russian Federation, and a process of finding solutions that are mutually acceptable both among the nuclear Powers and by the other participants in the negotiations is under way. A positive outcome of the work in 1994 was the preparation of a composite text of the draft of the future treaty. Its structure and a number of provisions have been agreed upon. Given the political will, there is a very real prospect of the negotiations being completed and the treaty submitted for signature in the very near future.

27. A favourable atmosphere for the negotiations on the complete banning of nuclear-weapon tests is created by the moratoriums on the conduct of such tests.

28. The Soviet Union, and subsequently the Russian Federation, have not conducted nuclear tests since 24 October 1990. This unilateral moratorium has been extended more than once. The Russian Federation will continue to maintain the moratorium proclaimed by presidential decree on 5 July 1993 for as long as the other nuclear Powers which have announced moratoriums observe theirs.

29. The provision of clearer security assurances to non-nuclear-weapon States against the use or threat of the use of nuclear weapons is an important factor in facilitating the strengthening of the nuclear non-proliferation regime and in international stability.

30. The new Security Council resolution on security assurances adopted in April 1995 builds on the provisions of Security Council resolution 255 (1968). It guarantees the provision of the relevant assistance by the Security Council in the event that a non-nuclear-weapon State party to the NPT is subjected to nuclear aggression or the threat of aggression.

31. The resolution takes note of the statements by the nuclear Powers on "negative assurances".

32. The Russian Federation, for its part, will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion of or any other attack on the Russian Federation, its territory, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

33. The Russian Federation is continuing in the context of the various multilateral negotiations, particularly those at the Conference on Disarmament, to take active steps for the prohibition of other types of weapons of mass destruction and for the limitation of conventional weapons. The steps in this

direction are in the spirit of the Treaty on the Non-Proliferation of Nuclear Weapons and are conducive to the strengthening of the non-proliferation regime.

34. The Russian Federation signed the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in January 1993. It is participating in the persistent search for mutually acceptable solutions relating to certain of the procedures for implementation of the Convention which are being developed by a special mechanism, the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons at The Hague.

35. The Russian Federation is participating in the resolution of the remaining issues and working for the earliest possible entry into force of the chemical weapons convention, and is preparing the national legislative basis for the discharge of its obligations under the Convention.

36. The Russian Federation supports the efforts to strengthen the regime of the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. The Special Conference of States parties to the Convention held at the end of September 1994 reviewed ways of strengthening the verification regime and took a decision on the starting in 1995 of negotiations on the development of a verification mechanism for the convention.

37. Serious steps have been taken in recent years to limit conventional weapons and armed forces, with the adoption of the Treaty on Conventional Armed Forces in Europe (1990), the Concluding Act of the Negotiations on Personnel Strength of Conventional Armed Forces in Europe (1992), the Vienna Document on confidence-building measures and security (1992-1994) and other agreements.

38. The non-proliferation Treaty is the sole multilateral agreement that legally binds the nuclear Powers to pursue negotiations in good faith on effective nuclear-disarmament measures. The results achieved here demonstrate that the nuclear arms race has been halted and reversed and that the Treaty is providing an incentive for further steps in this direction, leading to the complete elimination of nuclear weapons.

Articles I and II

39. Like the USSR in the past, the Russian Federation, as a nuclear-weapon State, has strictly observed its obligations under article I of the Treaty not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; in addition, the Russian Federation has not in any way assisted, encouraged, or induced any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

40. The Russian Federation has proceeded from the premise that the strict observance of article II of the Treaty is one of the principal ways to prevent the emergence of new nuclear-weapon States. In its relations with other

countries, the Russian Federation has unswervingly observed its obligations under article II of the Treaty.

41. In the complex conditions in which new independent States were formed in the territory of the former USSR, collective decisions were taken to prevent the proliferation of Soviet nuclear weapons. Owing to the efforts of the Russian Federation, Ukraine, Belarus, Kazakhstan and other countries, an international legal mechanism was set up providing not only for the removal of former Soviet nuclear weapons to the Russian Federation, but also for the elimination of most of them. Under the 1992 Lisbon Protocol, the Russian Federation remains the sole nuclear State in the territory of the former Soviet Union, and the three above-mentioned countries would accede to the non-proliferation Treaty as non-nuclear-weapon States (these agreements have already been carried out).

42. NPT has become a strong barrier against the spread of nuclear weapons and a standard of civilized behaviour on the part of States at the current time with the rapid structural changes occurring in the world.

Article III

43. In accordance with its obligations under this article of the Treaty, the Russian Federation has continued to provide nuclear material and equipment to non-nuclear-weapon States for peaceful purposes only if they are subject to IAEA safeguards.

44. Along with the other nuclear-weapon States that are nuclear suppliers, the Russian Federation participates in the work of amending and updating the list of nuclear materials and equipment, whose export, in accordance with article III of the Treaty, requires the application of IAEA safeguards, and has strictly abided by the list in its export policy. The Russian Federation continues to advocate that all countries which are nuclear suppliers should observe the principle of all-inclusive safeguards. At the present time, nuclear exports from the Russian Federation can be provided only to non-nuclear weapon countries all of whose nuclear activities are subject to IAEA control.

45. Since 1992, a new export monitoring system has been in effect in the Russian Federation, whereby the export and import of dual-use items which might be utilized to create nuclear explosive devices are licensed.

46. Considering the Agency's activities one of the key elements in the system of measures for ensuring and strengthening the nuclear non-proliferation regime, the Russian Federation helps in a comprehensive manner to enhance the effectiveness of the safeguards system, including the further elaboration of the concept of special inspections, _inter alia_, at undeclared facilities. At the same time, the practical activities of IAEA in implementing the safeguards should not hamper scientific and technical development or international cooperation by States in the peaceful use of nuclear energy and should be based on optimum utilization of the Agency's human and material resources.

47. In accordance with the IAEA safeguards agreement with the USSR of 10 June 1985, the Russian Federation has cooperated with the Agency in conducting inspections at its peaceful nuclear installations. In 1991, work was

completed on the construction, under IAEA safeguards, of a BN-600 fast reactor at the Beloyarsk nuclear power station, which is of specific interest for the Agency in view of the possible long-term trend in the development of nuclear energy (because of limited resources, IAEA did not apply safeguards at it). The list of Russian peaceful nuclear installations, from which the Agency can select facilities for inspection, has been expanded.

48. The Russian Federation also assisted the Agency in activities relating to safeguards by providing highly qualified specialists both to participate in inspection activities under Security Council resolution 687 (1991) and to evaluate the state of the former nuclear-weapon programme in South Africa. In addition, Russian experts participated in the work of advisory groups to develop approaches to evaluating the effectiveness of the application of the safeguards and in defining effective ways to improve technical monitoring means in applying the safeguards, as well as in the work of the Standing Advisory Group on Safeguards Implementation (SAGSI).

49. The Russian Federation continued to contribute to the technical development of the safeguards by conducting a considerable amount of work within the framework of the national programme of scientific and technical support for IAEA safeguards aimed at developing methods and procedures as well as technical means to be applied in the safeguards. From 1990 to 1995, approximately 600 million roubles were spent to finance work under the Russian national programme, in which the country's leading scientific research institutes and organizations participated.

50. Russian scientific research institutes are assisting the Agency in analysing samples of spent fuel gathered by IAEA specialists during inspections as well as samples of the environment taken in order to monitor undeclared activities relating to the processing and enrichment of nuclear materials. A small-scale spectrometric telluride cadmium-based detector with high energy resolution, which was widely used in the Agency for monitoring spent fuel, was developed within the framework of the national programme.

51. The annual holding of international training courses for IAEA inspectors in the Russian Federation has become a tradition: both for novice inspectors at the Novovoronezh nuclear power plant as well as for experienced inspectors in the construction of new nuclear installations under IAEA safeguards. In addition, Russian scientific institutions conducted courses for the staff of national systems for accounting for and monitoring nuclear materials.

52. The Russian Federation also participates in the "93 + 2" programme to enhance the effectiveness and efficiency of the IAEA safeguards system. Research is being conducted into the possibility of using environmental monitoring to detect signs of undeclared activities in the construction and testing of nuclear explosive devices. There are plans to define the indicators for nuclear-weapon activities, develop methods for selecting and analysing samples of the environment and determine the effectiveness of using such methods in international safeguards.

53. The Russian Federation favours greater international cooperation in order to halt the illegal sale of nuclear materials and to exchange information.

Ensuring the non-proliferation, physical protection, security and safe keeping of nuclear materials is an obligation of all sovereign States that have such materials and those States bear the responsibility for the consequences if nuclear materials disappear or are stolen or illegally moved. In addition, it is necessary to help IAEA to utilize its considerable potential in improving physical protection and developing systems for controlling and accounting for nuclear materials. Establishing bilateral cooperation between law enforcement bodies is important. The Russian Federation's most extensive relations in this regard are with Germany, with which it signed a bilateral memorandum on cooperation in preventing the illegal sale of nuclear materials. The Russian Federation cooperates in this area with other countries as well.

54. The IAEA safeguards system, which does not impede peaceful nuclear cooperation, is an effective instrument that strengthens trust in the compliance with the non-proliferation Treaty and the detection of unsanctioned activities. The system is a further factor for strengthening security, first and foremost at the regional level.

Article IV

55. The Russian Federation remains faithful to the principles of equitable international cooperation in the peaceful use of nuclear energy and providing assistance to developing countries and regions of the world in satisfying their wishes on the basis of non-discrimination, if they are legitimate and do not run counter to the Treaty. Of course, unlike non-parties to the Treaty, the non-nuclear-weapon States parties are creating the necessary conditions for acquiring equipment, materials and information in the nuclear field.

56. Like the USSR earlier, the Russian Federation is endeavouring, in accordance with the means available to it, to ensure broad access on the part of other countries to the benefits of the peaceful use of nuclear energy at both the bilateral and multilateral levels, inter alia, within the framework of IAEA. Many of these measures were carried out during the past five years.

57. The further development and introduction of nuclear power is one of the most important, long-term areas of cooperation. On the basis of Russian designs, 20 power units of 9,980 Mw total electric power were built and are in operation (in Bulgaria, the Czech Republic, Hungary, Finland and Slovakia). An additional 4 power units in Slovakia, 2 in the Czech Republic and 2 in Cuba are in various stages of construction.

58. Two intergovernmental agreements have been signed with the Islamic Republic of Iran on building nuclear power plants in Iranian territory and on cooperation in the peaceful use of nuclear energy.

59. Russian organizations provided a wide range of services in the construction of nuclear-power and other facilities in foreign countries:

- Surveying to select construction sites;
- Plant design, manufacture and delivery of equipment;

- Delivery of nuclear fuel and so forth.

60. From 1990 to 1994, spent nuclear fuel from nuclear power stations with VVER-440 reactors was shipped from Hungary, Finland, Ukraine and Slovakia to Russia for subsequent processing. In the framework of providing technical assistance to the United Nations and IAEA in implementation of Security Council resolutions 687 (1991) and 707 (1991) concerning the export of nuclear materials from Iraq, irradiated nuclear fuel from a research reactor in Iraq was shipped to the Russian Federation and processed. It should be pointed out in particular that the Iraqi side took all necessary steps to ensure the completion of the work in its territory.

61. Russian enterprises continued to provide many countries with services in the field of uranium enrichment.

62. In its cooperation with developing countries, the Russian Federation focuses on their vital needs. An example of this is the desalinization of sea water. On the basis of IAEA recommendations in this area, a national programme project to set up nuclear-powered desalinization plants for the cost-effective production of drinking water by the year 2000 and beyond was drawn up. At IAEA conferences held in 1994 in Vienna and Cairo on the desalinization of sea water, the Russian Federation submitted an improved design of a floating plant with a lower real cost on the basis of ship-borne nuclear reactors.

63. The Russian Federation drew up designs for nuclear heat-supply plants for countries with harsh climates.

64. It should also be pointed out that programmes for developing nuclear energy in the Russian Federation and the countries of Eastern Europe were considerably curtailed after the accident at the Chernobyl nuclear power plant. This reoriented international cooperation towards research into questions relating to nuclear security, where the Russian Federation cooperates widely with other countries in solving the problems of enhancing the safety of nuclear power.

65. In spite of the Russian Federation's complicated economic situation, the necessary resources were found to make regular voluntary contributions to the Technical Assistance and Cooperation Fund for developing countries that are members of IAEA. The Russian Federation's voluntary contribution for 1994 alone amounted to 3 billion roubles. Through IAEA, it supplies developing countries with electron accelerators, cyclotron systems, neutron generators, neutron radiography units, gamma-therapeutic apparatuses and other equipment, as well as materials: natural and enriched uranium, impoverished uranium, metallic zirconium, isotopes and radioactive compounds.

66. Within the framework of the IAEA technical assistance and cooperation programmes, Russian scientific research institutes and enterprises conduct training activities every year: courses, on-the-job training, probationary training and scientific visits for specialists from developing countries that are IAEA members, in which there are as many as 50 participants. Probationary training was conducted in the following fields:

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- Radiological medicine ;
- Biophysics and biochemistry;
- Conducting research with the use of cyclotrons;
- Practical work in the use of accelerators and neutron generators;
- Handling of radioactive waste, etc.

67. Courses for training specialists from the International Nuclear Information System (INIS) and on the operation of liquid nitrogen production units are also held.

68. The non-proliferation Treaty established a unique structure of constantly expanding international cooperation in the field of the peaceful use of nuclear energy for decades to come. This structure is developing more and more possibilities for the social and economic development of the developing countries. The Russian Federation is prepared to continue to cooperate with these countries taking into account their requirements and specific characteristics.

Article V

69. Since the Fourth Conference, there has been not been evidence of any interest in obtaining benefits from the peaceful nuclear explosions provided for under this article.

Article VII

70. The Russian Federation continues to advocate the establishment of nuclear-weapon-free zones in various regions of the world, considering that this process helps to narrow the geographic sphere of nuclear preparations and thereby strengthen the non-proliferation regime.

71. The Russian Federation views the establishment of nuclear-weapon-free zones as an important factor for strengthening international peace and security, which promotes the development of disarmament processes at the global and regional levels.

72. Nuclear-weapon-free zones constitute good regional supplements to the NPT regime, and in a number of cases (the countries of South America), they create the prerequisites for subsequent accession by States to the Treaty. The Russian Federation has consistently supported the establishment of nuclear-weapon-free zones in the Middle East, Africa, South Asia and other regions of the world. It is a party to the corresponding protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the South Pacific Nuclear-Free Zone Treaty. Of course, Russia's position with regard to the transit of nuclear weapons through the territory of nuclear-weapon-free zones is that the generally recognized norms of international law, particularly the principle of freedom of navigation, must be strictly observed in concluding corresponding treaties. The scope of a treaty may not extend beyond the territory of the States parties,

including airspace and territorial waters, determined in accordance with international law.

Articles VIII, IX and X

73. The Russian Federation has provided all possible assistance for the preparation and holding of the Review Conferences and the implementation of the provisions of their Declarations.

74. Believing that the most important means of strengthening the Treaty is to expand further the number of States parties to it, the Russian Federation, together with the other depositary States has continued its active work to attract new States to the Treaty, particularly in regions of special importance with regard to the non-proliferation of nuclear weapons. Approximately 30 countries, including China and France, have acceded to the Treaty since 1990. The fact that there are more than 170 States parties to the Treaty demonstrates its almost universal character.

75. As a depositary of the Treaty, the Government of the Russian Federation has sent the corresponding notifications promptly to all the parties.

76. With regard to the convening of a conference 25 years after the entry into force of the Treaty as provided for under article X, the Russian Federation believes that decisions that introduce an element of uncertainty with regard to the fate of the Treaty will seriously undermine international trust and commitment to the objectives proclaimed in it, particularly nuclear disarmament. It is the Russian Federation's firm position that the Treaty, as a major international legal document of the nuclear age ensuring an optimum balance in terms of halting the spread of nuclear weapons, nuclear disarmament and cooperation in the peaceful uses of the atom, must be extended indefinitely and unconditionally. Such a decision by the Conference will lay the foundation for further progress in the twenty-first century towards a non-nuclear world in the future.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/26
27 April 1995
ENGLISH
ORIGINAL: CHINESE

New York, 17 April-12 May 1995

LETTER DATED 25 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS AND DEPUTY HEAD OF THE CHINESE DELEGATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit to you China's national statement on security assurances (see annex).

I would be grateful if you could take the appropriate steps to register this letter and its annex as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and to have it distributed to the participants in the Conference.

(Signed) LI Zhaoxing
Ambassador
Permanent Representative
Deputy Head of the Chinese Delegation

ANNEX

Statement on security assurances issued on 5 April 1995 by the People's Republic of China

For the purpose of enhancing international peace, security and stability and facilitating the realization of the goal of complete prohibition and thorough destruction of nuclear weapons, China hereby declares its position on security assurances as follows:

1. China undertakes not to be the first to use nuclear weapons at any time or under any circumstances.

2. China undertakes not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances. This commitment naturally applies to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons or non-nuclear-weapon States that have entered into any comparable internationally binding commitments not to manufacture or acquire nuclear explosive devices.

3. China has always held that, pending the complete prohibition and thorough destruction of nuclear weapons, all nuclear-weapon States should undertake not to be the first to use nuclear weapons and not to use or threaten to use such weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances. China strongly calls for the early conclusion of an international convention on the non-first use of nuclear weapons as well as an international legal instrument assuring the non-nuclear-weapon States and nuclear-weapon-free zones against the use or threat of use of nuclear weapons.

4. China, as a permanent member of the United Nations Security Council, undertakes to take action within the Council to ensure that the Council takes appropriate measures to provide, in accordance with the Charter of the United Nations, necessary assistance to any non-nuclear-weapon State that comes under attack from nuclear weapons, and to impose strict and effective sanctions on the attacking State. This commitment naturally applies to any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons or to any non-nuclear-weapon State that has entered into any comparable internationally binding commitment not to manufacture or acquire nuclear explosive devices, in the event of aggression involving the use of nuclear weapons or the threat of such aggression against the State.

5. The positive security assurance provided by China, as contained in paragraph 4, does not in any way compromise China's position as set out in paragraph 3 and shall not in any way be construed as endorsing the use of nuclear weapons.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/27
1 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Note by the Secretariat

The attached document, received by the Secretariat, is circulated for information.

Annex

Letter dated 18 April 1995 from the Chargé d'affaires a.i. of Yugoslavia to the United Nations addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

I have the honour to transmit herewith a statement of the Government of the Federal Republic of Yugoslavia on the occasion of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

I should be grateful if you would have the present letter and its appendix circulated as a document of the Conference.

(*Signed*) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

APPENDIX

Statement issued on 14 April 1995 by the Government of Yugoslavia

The Federal Republic of Yugoslavia, as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, received with shock and dismay the denial of its right to a fully fledged participation in the work of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Throughout the validity of this Treaty, the Federal Republic of Yugoslavia has demonstrated its firm commitment to the maintenance of international peace and security through general and complete disarmament, nuclear disarmament in particular, and the broadening of cooperation in the use of nuclear energy for peaceful purposes.

The Federal Republic of Yugoslavia considers that the adherence to an international treaty is the matter of the sovereign will of each State and that no one, except that State, can decide on its behalf on its status in that treaty.

The Government of the Federal Republic of Yugoslavia assesses the prevention of the representatives of the Federal Republic of Yugoslavia from taking part in the work of the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons as illegitimate and as an arrogation of the right by the depositary State to determine the status of the State parties to the said Treaty.

Proceeding from the basic principles of the international law of treaties, the Government of the Federal Republic of Yugoslavia continues to firmly maintain the position that the rights and obligations under international treaties cannot be separated without bringing into question the status of States parties to such treaties.

The unprecedented act, imposed upon the Review Conference in the case of the Federal Republic of Yugoslavia, is not only contrary to the international law of treaties, but stands in outright contravention of the letter and spirit of the Non-Proliferation Treaty itself. This practice blurs the legal and political situation enveloping the country towards which such practice is intended to be applied. Rather than contributing to the non-proliferation of nuclear weapons, such an act creates ambiguous situations which are conducive to opposite behaviour.

The Government of the Federal Republic of Yugoslavia therefore resolutely demands from NPT depositary States, which bear special responsibility, not to allow the threatening of the substance and spirit of the Treaty on the Non-Proliferation of Nuclear Weapons and to enable the Federal Republic of Yugoslavia, as a party to the Treaty, to participate as a fully fledged member in the forthcoming Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons scheduled to begin on 17 April 1995.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/28
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

RULES OF PROCEDURE

I. REPRESENTATION AND CREDENTIALS

Delegations of Parties to the Treaty

Rule 1

1. Each State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter "the Treaty") may be represented at the 1995 Review and Extension Conference of the Parties to the Treaty (hereinafter the "Conference"), the objectives of which are to review the operation of the Treaty and to decide on its extension, by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Election

Rule 5

The Conference shall elect the following officers: a President and thirty-four Vice-Presidents, as well as a Chairman and two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. The officers shall be elected so as to ensure a representative distribution of posts.

Acting President

Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, the thirty-four Vice-Presidents, the Chairmen of the three Main Committees, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members

of the same delegation and it shall be so constituted as to ensure its representative character.

2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of a Main Committee, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen to take his place, with the right to vote unless he is of the same delegation as another member of the General Committee.

Functions

Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. CONFERENCE SECRETARIAT

Duties of the Secretary-General of the Conference

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and working groups, and may designate a member of the secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the secretariat

Rule 11

The secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate and circulate the documents of the Conference;

(c) Publish and circulate any report of the Conference;

(d) Make and arrange for the keeping of sound recordings and summary records of meetings;

(e) Arrange for the custody of documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depository Governments; and

(f) Generally perform all other work that the Conference may require.

Costs

Rule 12*

The costs of the Conference, including the sessions of the Preparatory Committee, will be met by the States Parties to the Treaty participating in the Conference in accordance with the schedule for the division of costs attached as appendix 1.

V. CONDUCT OF BUSINESS

Quorum

Rule 13

1. Except as provided in paragraph 2 below, a majority of the States Parties to the Treaty participating in the Conference shall constitute a quorum.

2. With respect to an article X.2 decision, a majority of the States Parties to the Treaty shall constitute a quorum.

3. To determine whether the Conference is quorate, any State Party may call for a roll call at any time.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference; he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on the question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

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* It is understood that the financial arrangements provided by rule 12 do not constitute a precedent.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

Points of order

Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19 to 22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers

Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply

Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate

Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions

Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than twenty-four hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 25

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of proposals

Rule 27

Proposals adopted by consensus and a decision taken in accordance with rule 28.3 may not be reconsidered unless the Conference reaches a consensus on such reconsideration. A proposal other than a proposal under rule 28.3 that has been adopted or rejected by a majority or two-thirds vote may be reconsidered if the Conference, by a two-thirds majority, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. VOTING AND ELECTIONS

Adoption of decisions

Rule 28

The tasks of the Conference being to review, pursuant to paragraph 3 of article VIII of the Treaty, the operation of the Treaty with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized, and thus to strengthen its effectiveness, and to decide, in accordance with paragraph 2 of article X of the Treaty, whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

1. General

(a) Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

(b) If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

(c) In cases where a vote is taken, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

2. Review

(a) If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, the President shall defer the vote for forty-eight hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

(b) If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, providing that such majority shall include at least a majority of the States participating in the Conference.

3. The extension

(a) Proposals for a decision in accordance with paragraph 2 of Article X of the Treaty may be submitted by sponsor(s) in writing to the Secretary-General of the Conference until the end of the review process but no later than 1800 hours on Friday 5 May 1995.

(b) In order to achieve a consensus decision on the extension of the Treaty, the President may conduct informal consultations from the outset of the Conference and keep the General Committee informed in this regard.

(c) The requirements of paragraph 2 of Article X of the Treaty shall be considered met when there is a consensus in support of a proposal that is in accordance with that paragraph provided that the Conference is quorate as defined in Rule 13.

(d) If by Monday 8 May 1995 the Conference has not reached a decision by consensus on the extension, the President shall defer the vote for 48 hours and during this period of deferment shall make every effort to facilitate the achievement of general agreement, and shall report to the Conference after the end of the period.

(e) If by the end of the period of deferment the Conference has not reached a consensus decision on the extension, voting shall begin on Wednesday 10 May 1995 on all proposals that have been submitted.

(f) All proposals shall be voted on simultaneously by written ballot.* Each State Party shall have one vote, to be cast in favour of one of the proposals.

(g) If none of the proposals obtains the required majority, the proposal receiving the lowest number of votes, in that and each subsequent round, shall be eliminated. Further rounds of voting shall take place on the remaining proposals in accordance with subparagraph (f).

(h) A proposal may not be amended in accordance with Rule 24, but may be revised or withdrawn by its sponsor(s) at any time except when a vote is in progress.

(i) No Parties may move that part of a proposal be voted on separately.

(j) After each round of voting, consultations may be undertaken by the Parties with a view to reaching a decision. To this end the Conference may decide, by a majority of Parties to the Treaty, to permit the submission of a new proposal which shall be included in subsequent rounds of voting conducted in accordance with subparagraph (f).

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* This rule is without prejudice to rules which may be adopted for future conferences. The method of balloting shall be decided by the Conference in accordance with Rule 28.1. Examples of the ballot papers and procedures are attached to the Rules of Procedure.

(k) Voting shall continue until a proposal acquires the required majority.

(l) The Conference may be closed only when the decision required by paragraph 2 of Article X of the Treaty has been reached.

Voting rights

Rule 29

Every State Party to the Treaty shall have one vote.

Meaning of the phrases "representatives present and voting" and "majority of the Parties to the Treaty"

Rule 30

1. For the purposes of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

2. For the purposes of these rules, the term "majority of the Parties to the Treaty" means more than half of the total number of all States Parties to the Treaty.

Elections

Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes a special ballot shall be held; if a tie again results in this special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.

3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. COMMITTEES

Main Committees and working groups

Rule 34

The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish working groups. As a general rule each State Party to the Treaty participating in the Conference may be represented in the working groups unless otherwise decided by consensus.

Representation on the Main Committees

Rule 35

Each State Party to the Treaty participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Drafting Committee

Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to

it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Officers and procedures

Rule 37

The rules relating to officers, the Conference secretariat, conduct of business and voting of the Conference (contained in chaps. II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, *mutatis mutandis*, to the proceedings of committees and working groups, except that:

(a) Unless otherwise decided, any working group shall elect a chairman and such other officers as it may require;

(b) The Chairmen of the General, the Drafting and the Credentials Committees and the Chairmen of working groups may vote in their capacity as representatives of their States;

(c) A majority of the representatives on the General, Drafting and Credentials Committees or on any working group shall constitute a quorum; the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the representatives of the States participating in the Conference are present.

VIII. LANGUAGES AND RECORDS

Languages of the Conference

Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.

2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings

Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Main Committee concerned, no such recordings shall be made of the meetings of a working group thereof.

Summary records

Rule 42

1. Summary records of the plenary meetings of the Conference and of the meetings of the Main Committees shall be prepared by the secretariat in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

IX. PUBLIC AND PRIVATE MEETINGS

Rule 43

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private.

X. PARTICIPATION AND ATTENDANCE

Rule 44

1. Observers

(a) Any other State which, in accordance with article IX of the Treaty, has the right to become a Party thereto but which has neither acceded to nor ratified it may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference.* Such a State shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer State shall also be entitled to submit documents to the participants in the Conference.

(b) Any national liberation organization entitled by the General Assembly of the United Nations** to participate as an observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly and all international conferences convened under the auspices of other organs of the United Nations may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer organization shall also be entitled to submit documents to the participants in the Conference.

2. The United Nations and the International Atomic Energy Agency

The Secretary-General of the United Nations and the Director General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings of the plenary and of the Main Committees and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

3. Specialized agencies and regional intergovernmental organizations

The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Forum, other regional intergovernmental organizations and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for observer agency status, which will be accorded on the decision of the Conference. An observer agency shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees, other than those designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as conference documents.

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* It is understood that any such decision will be in accordance with the practice of the General Assembly.

** Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974, 3280 (XXIX) of 10 December 1974 and 152/31 of 20 December 1976.

4. Non-governmental organizations

Representatives of non-governmental organizations who attend meetings of the plenary or of the Main Committees will be entitled upon request to receive the documents of the Conference.

Appendix 1

(to rule 12)

SCHEDULE OF DIVISION OF COSTS

1. The attached schedule shows the allocation of costs between States based on participation of States in the first, second, third or fourth sessions of the Preparatory Committee.

2. The schedule for the actual division of costs will be subject to review in the light of participation of States in the Conference, except that the shares designated in the schedule with an asterisk will remain as shown in the schedule. The balance of costs will be divided among the other States Parties according to the ratio of their respective assessments under the United Nations scale. (The assigned contributions of States Parties not members of the United Nations will be based upon estimates.)*

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* Three States Parties have contested and continued to contest, under Article 2, paragraph 1, of the Charter of the United Nations, the assessment rates decided by the General Assembly in its decision 47/456 and in its resolution 49/19. However, they agree to assume the share apportioned to them as indicated in the present appendix.

SCHEDULE

		Share of estimated total costs (percentage)
1.	Afghanistan	0.01
2.	Albania	0.01
3.	Algeria	0.13
4.	Antigua and Barbuda	0.01
5.	Armenia	0.07
6.	Australia	1.20
7.	Austria	0.70
8.	Azerbaijan	0.13
9.	Bahamas	0.02
10.	Bahrain	0.02
11.	Bangladesh	0.01
12.	Barbados	0.01
13.	Belarus	0.31
14.	Belgium	0.82
15.	Belize	0.01
16.	Benin	0.01
17.	Bhutan	0.01
18.	Bolivia	0.01
19.	Bosnia and Herzegovina	0.02
20.	Botswana	0.01
21.	Brunei Darussalam	0.02
22.	Bulgaria	0.08
23.	Burkina Faso	0.01
24.	Cambodia	0.01
25.	Cameroon	0.01
26.	Canada	2.53
27.	Cape Verde	0.01
28.	Central African Republic	0.01
29.	China	0.91*
30.	Colombia	0.09
31.	Costa Rica	0.01
32.	Côte d'Ivoire	0.01
33.	Croatia	0.08
34.	Cyprus	0.02
35.	Czech Republic	0.26
36.	Democratic People's Republic of Korea	0.03
37.	Denmark	0.58
38.	Dominica	0.01
39.	Dominican Republic	0.01
40.	Ecuador	0.02
41.	Egypt	0.06
42.	El Salvador	0.01
43.	Equatorial Guinea	0.01
44.	Estonia	0.04
45.	Ethiopia	0.01
46.	Fiji	0.01
47.	Finland	0.50

		Share of estimated total costs (percentage)
48.	France	7.14*
49.	Gabon	0.01
50.	Germany	7.37
51.	Ghana	0.01
52.	Greece	0.31
53.	Grenada	0.01
54.	Guatemala	0.02
55.	Guinea	0.01
56.	Guinea-Bissau	0.01
57.	Guyana	0.01
58.	Haiti	0.01
59.	Holy See	0.01
60.	Honduras	0.01
61.	Hungary	0.12
62.	Iceland	0.02
63.	Indonesia	0.12
64.	Iran (Islamic Republic of)	0.49
65.	Iraq	0.12
66.	Ireland	0.16
67.	Italy	3.95
68.	Jamaica	0.01
69.	Japan	11.50
70.	Jordan	0.01
71.	Kazakhstan	0.21
72.	Kenya	0.01
73.	Kyrgyzstan	0.03
74.	Kuwait	0.16
75.	Lao People's Democratic Republic	0.01
76.	Latvia	0.08
77.	Lebanon	0.01
78.	Lesotho	0.01
79.	Liberia	0.01
80.	Libyan Arab Jamahiriya	0.17
81.	Liechtenstein	0.01
82.	Lithuania	0.09
83.	Luxembourg	0.06
84.	Madagascar	0.01
85.	Malawi	0.01
86.	Malaysia	0.12
87.	Maldives	0.01
88.	Mali	0.01
89.	Malta	0.01
90.	Mauritania	0.01
91.	Mauritius	0.01
92.	Mexico	0.64
93.	Mongolia	0.01
94.	Morocco	0.02
95.	Mozambique	0.01

		Share of estimated total costs (percentage)
96.	Myanmar	0.01
97.	Namibia	0.01
98.	Nepal	0.01
99.	Netherlands	1.30
100.	New Zealand	0.20
101.	Nicaragua	0.01
102.	Niger	0.01
103.	Nigeria	0.13
104.	Norway	0.45
105.	Panama	0.01
106.	Papua New Guinea	0.01
107.	Paraguay	0.01
108.	Peru	0.05
109.	Philippines	0.05
110.	Poland	0.31
111.	Portugal	0.20
112.	Qatar	0.03
113.	Republic of Korea	0.66
114.	Republic of Moldova	0.09
115.	Romania	0.12
116.	Russian Federation	8.00*
117.	Rwanda	0.01
118.	Saint Lucia	0.01
119.	Samoa	0.01
120.	San Marino	0.01
121.	Sao Tome and Principe	0.01
122.	Saudi Arabia	0.66
123.	Senegal	0.01
124.	Seychelles	0.01
125.	Sierra Leone	0.01
126.	Singapore	0.12
127.	Slovakia	0.08
128.	Slovenia	0.06
129.	Solomon Islands	0.01
130.	South Africa	0.28
131.	Spain	1.85
132.	Sri Lanka	0.01
133.	Sudan	0.01
134.	Suriname	0.01
135.	Sweden	1.01
136.	Switzerland	1.00
137.	Syrian Arab Republic	0.04
138.	Thailand	0.11
139.	Togo	0.01
140.	Trinidad and Tobago	0.03
141.	Tunisia	0.02
142.	Turkey	0.28
143.	Uganda	0.01

		Share of estimated total costs (percentage)
144.	Ukraine	1.22
145.	United Kingdom of Great Britain and Northern Ireland	6.13*
146.	United Republic of Tanzania	0.01
147.	United States of America	32.82*
148.	Uruguay	0.03
149.	Uzbekistan	0.16
150.	Venezuela	0.33
151.	Viet Nam	0.01
152.	Yemen	0.01
153.	Zambia	0.01
154.	Zimbabwe	0.01

Appendix 2
(to rule 28.3 (f))

VOTING PROCEDURE A

Voting shall take place as follows:

Before each ballot takes place, the Secretariat shall issue, to each State Party participating in the Conference, copies of all the documents containing the proposals which have been submitted, and a duly authenticated ballot paper listing, by their document number and in an order to be determined by drawing lots, all the proposals submitted (model ballot paper attached).

The ballot paper shall be headed by the name of that State Party.

Each State Party shall have one vote, to be cast by placing an X opposite the proposal it favours on the ballot paper, and depositing its ballot paper in the ballot box. Any ballot paper not conforming to the above requirements shall be declared invalid.

The Conference shall elect three tellers (one from the Western Group delegations, one from the Eastern Group delegations and one from the Non-Aligned Movement and other developing States delegations) who shall supervise the voting process and the counting of the votes by the Secretariat.

At the end of each ballot and before the next ballot, the Secretariat shall, under the supervision of the tellers, draw up and circulate lists indicating the result of the vote, which States Parties voted for which proposal, and which ballot papers (if any) were declared invalid.

NAME OF STATE PARTY

Document Number of Proposal	Place X in one of the boxes below
NPT/CONF.1995/L....	
NPT/CONF.1995/L....	
NPT/CONF.1995/L....	

VOTING PROCEDURE B

Voting shall take place as follows:

Before each ballot takes place, the Secretariat shall issue, to each State Party participating in the Conference, copies of all the documents containing the proposals which have been submitted, and a duly authenticated ballot paper listing, by their document number and in an order to be determined by drawing lots, all the proposals submitted (model ballot paper attached).

Each State Party shall have one vote, to be cast by placing an X opposite the proposal it favours on the ballot paper, and depositing its ballot paper in the ballot box. Any ballot paper not conforming to the above requirements shall be declared invalid.

The Conference shall elect three tellers (one from the Western Group delegations, one from the Eastern Group delegations and one from the Non-Aligned Movement and other developing States delegations) who shall supervise the voting process and the counting of the votes by the Secretariat.

At the end of each ballot and before the next ballot, the Secretariat shall, under the supervision of the tellers, draw up and circulate lists indicating the result of the vote, how many States Parties voted for which proposal, and how many ballot papers (if any) were declared invalid.

Document Number of Proposal	Place X in one of the boxes below
NPT/CONF.1995/L....	
NPT/CONF.1995/L....	
NPT/CONF.1995/L....	

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/29
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

SCHEDULE OF DIVISION OF COSTS

In accordance with the cost-sharing formula adopted by the Conference, contained in appendix 1 to the rules of procedure (NPT/CONF.1995/28), the following is the schedule for the division of costs based on the actual participation of States parties in the Conference:

		Share of estimated total costs (percentage)
1.	Afghanistan	0.01
2.	Albania	0.01
3.	Algeria	0.13
4.	Antigua and Barbuda	0.01
5.	Argentina	0.39
6.	Armenia	0.06
7.	Australia	1.18
8.	Austria	0.69
9.	Azerbaijan	0.13
10.	Bahamas	0.02
11.	Bahrain	0.02
12.	Bangladesh	0.01
13.	Barbados	0.01
14.	Belarus	0.30
15.	Belgium	0.80
16.	Belize	0.01
17.	Benin	0.01
18.	Bhutan	0.01
19.	Bolivia	0.01
20.	Bosnia and Herzegovina	0.02
21.	Botswana	0.01
22.	Brunei Darussalam	0.02
23.	Bulgaria	0.08
24.	Burkina Faso	0.01
25.	Burundi	0.01
26.	Cambodia	0.01
27.	Cameroon	0.01
28.	Canada	2.49
29.	Cape Verde	0.01
30.	Central African Republic	0.01

		Share of estimated total costs (percentage)
31.	Chad	0.01
32.	China	0.91
33.	Colombia	0.09
34.	Congo	0.01
35.	Costa Rica	0.01
36.	Côte d'Ivoire	0.01
37.	Croatia	0.08
38.	Cyprus	0.02
39.	Czech Republic	0.26
40.	Democratic People's Republic of Korea	0.03
41.	Denmark	0.56
42.	Dominica	0.01
43.	Dominican Republic	0.01
44.	Ecuador	0.02
45.	Egypt	0.05
46.	El Salvador	0.01
47.	Equatorial Guinea	0.01
48.	Eritrea	0.01
49.	Estonia	0.04
50.	Ethiopia	0.01
51.	Fiji	0.01
52.	Finland	0.49
53.	France	7.14
54.	Gabon	0.01
55.	Gambia	0.01
56.	Georgia	0.13
57.	Germany	7.25
58.	Ghana	0.01
59.	Greece	0.30
60.	Grenada	0.01
61.	Guatemala	0.02
62.	Guinea	0.01
63.	Guinea-Bissau	0.01
64.	Guyana	0.01
65.	Haiti	0.01
66.	Holy See	0.01
67.	Honduras	0.01
68.	Hungary	0.12
69.	Iceland	0.02
70.	Indonesia	0.11
71.	Iran (Islamic Republic of)	0.48
72.	Iraq	0.11
73.	Ireland	0.16
74.	Italy	3.88
75.	Jamaica	0.01
76.	Japan	11.31
77.	Jordan	0.01
78.	Kazakhstan	0.21
79.	Kenya	0.01

		Share of estimated total costs (percentage)
80.	Kuwait	0.16
81.	Kyrgyzstan	0.03
82.	Lao People's Democratic Republic	0.01
83.	Latvia	0.08
84.	Lebanon	0.01
85.	Lesotho	0.01
86.	Liberia	0.01
87.	Libyan Arab Jamahiriya	0.17
88.	Liechtenstein	0.01
89.	Lithuania	0.09
90.	Luxembourg	0.05
91.	Madagascar	0.01
92.	Malawi	0.01
93.	Malaysia	0.11
94.	Maldives	0.01
95.	Mali	0.01
96.	Malta	0.01
97.	Marshall Islands	0.01
98.	Mauritania	0.01
99.	Mauritius	0.01
100.	Mexico	0.63
101.	Micronesia (Federated States of)	0.01
102.	Monaco	0.01
103.	Mongolia	0.01
104.	Morocco	0.02
105.	Mozambique	0.01
106.	Myanmar	0.01
107.	Namibia	0.01
108.	Nauru	0.01
109.	Nepal	0.01
110.	Netherlands	1.28
111.	New Zealand	0.19
112.	Nicaragua	0.01
113.	Niger	0.01
114.	Nigeria	0.13
115.	Norway	0.44
116.	Palau 1/	-
117.	Panama	0.01
118.	Papua New Guinea	0.01
119.	Paraguay	0.01
120.	Peru	0.05
121.	Philippines	0.05
122.	Poland	0.30
123.	Portugal	0.19
124.	Qatar	0.03
125.	Republic of Korea	0.65
126.	Republic of Moldova	0.09
127.	Romania	0.12
128.	Russian Federation	8.00

		Share of estimated total costs (percentage)
129.	Rwanda	0.01
130.	Saint Kitts and Nevis	0.01
131.	Saint Lucia	0.01
132.	Saint Vincent and the Grenadines	0.01
133.	Samoa	0.01
134.	San Marino	0.01
135.	Sao Tome and Principe	0.01
136.	Saudi Arabia	0.65
137.	Senegal	0.01
138.	Seychelles	0.01
139.	Sierra Leone	0.01
140.	Singapore	0.11
141.	Slovakia	0.08
142.	Slovenia	0.05
143.	Solomon Islands	0.01
144.	South Africa	0.27
145.	Spain	1.81
146.	Sri Lanka	0.01
147.	Sudan	0.01
148.	Suriname	0.01
149.	Swaziland	0.01
150.	Sweden	0.99
151.	Switzerland	0.98
152.	Syrian Arab Republic	0.04
153.	Tajikistan	0.02
154.	Thailand	0.10
155.	The former Yugoslav Republic of Macedonia	0.01
156.	Togo	0.01
157.	Tonga	0.01
158.	Trinidad and Tobago	0.03
159.	Tunisia	0.02
160.	Turkey	0.27
161.	Turkmenistan	0.03
162.	Tuvalu 2/	0.01
163.	Uganda	0.01
164.	Ukraine	1.20
165.	United Kingdom of Great Britain and Northern Ireland	6.13
166.	United Republic of Tanzania	0.01
167.	United States of America	32.82
168.	Uruguay	0.03
169.	Uzbekistan	0.15
170.	Venezuela	0.32
171.	Viet Nam	0.01
172.	Yemen	0.01
173.	Zaire	0.01
174.	Zambia	0.01
175.	Zimbabwe	0.01

Notes

1/ The assessment rate of Palau is yet to be determined.

2/ Theoretical rate, not adopted by the General Assembly.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/30
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 9 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ADDRESSED TO THE PRESIDENT OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

With regard to my delegation's attendance at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, I have the honour to remind you that the Democratic People's Republic of Korea has a special status in the Treaty.

The Democratic People's Republic of Korea, taking into consideration the Democratic People's Republic of Korea-United States of America agreed framework, dispatched to the Conference a delegation which made every effort to fulfil its responsibilities, expecting that the Conference would strengthen in good faith the non-proliferation regime and contribute to world peace and security.

However, the document drafted at the Conference meetings unreasonably represents the nuclear issue of the Korean peninsula according to outdated prejudices, ignoring the realities.

All these show that certain countries are using the Conference against my country, as they are only interested not in settling but in further complicating the nuclear issue of the Korean peninsula by disregarding and crippling the Democratic People's Republic of Korea-United States agreed framework which is aimed at fair resolution of it.

In these circumstances, I, upon authorization, inform you that the delegation of the Democratic People's Republic of Korea will not participate in adopting decisions or documents at the Conference.

I will be grateful if my delegation's absence from these actions could be duly recorded and this letter could be made available to all the participants of the Conference.

(*Signed*) PAK Gil Yon
Ambassador
Permanent Representative

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/31
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

NOTE VERBALE DATED 9 MAY 1995 FROM THE PERMANENT MISSION OF DENMARK, ON BEHALF OF THE FIVE NORDIC COUNTRIES, ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Permanent Mission of Denmark to the United Nations, on behalf of the five Nordic countries, has the honour to request that the enclosed statement, made at the meeting of the Nordic Ministers for Foreign Affairs, is issued as a document of the Conference.

Annex

STATEMENT CONCERNING THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS ISSUED AT COPENHAGEN ON 9 MAY 1995 BY THE MINISTERS FOR FOREIGN AFFAIRS

Ministers noted that the Treaty on the Non-Proliferation of Nuclear Weapons has for 25 years played an important part in the promotion of international peace and security and now enjoys near universal adherence. They stressed the importance of a decision by the ongoing Conference in New York on the indefinite and unconditional extension of the Treaty. They further noted that a vast majority already favours the indefinite extension of the Treaty and expressed the hope that all parties to the Treaty may consent thereto.

Today, 25 years after the entry into force of the Treaty, we note that significant progress has been achieved towards the realization of all the objectives of the Treaty, the importance of which is now greater than ever.

The Nordic countries, which have supported and contributed to this process according to their ability, are now determined to work vigorously for its speedy and resolute continuation. Now that international development has created new opportunities, these opportunities should be translated into obligations.

The Nordic countries welcomed the commitments undertaken by the United States of America and the Russian Federation towards further nuclear disarmament. They urge that the necessary steps be taken for START II to enter into force as soon as possible. This may provide a basis for further disarmament measures involving all nuclear-weapon States. The arms control and disarmament process must be pursued towards the ultimate goal of a world free of nuclear weapons.

Ministers urged the few States that have not yet done so to accede to the Treaty at the earliest possible date.

The negotiations on a comprehensive test-ban treaty should be concluded as soon as possible. Until that has been accomplished all nuclear-weapon States, including China, must refrain from nuclear testing. The comprehensive test-ban treaty should be followed up by a convention banning the production of fissile material for nuclear weapons.

Ministers stressed the importance of an intensified international cooperation on the questions associated with the peaceful use of nuclear energy. The safeguards system of IAEA should be strengthened. The principles of sustainable development must form the basis for all use of nuclear energy, including safety with regard to the operation of nuclear power plants and the handling of nuclear waste, civilian as well as military.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.1/Rev.1
5 May 1995
ENGLISH
ORIGINAL: SPANISH

New York, 17 April-12 May 1995

Mexico: draft resolution

The States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts must be made towards achieving the goal of general and complete disarmament under effective international control,

Convinced that the ultimate goal of nuclear disarmament is the total elimination of nuclear weapons,

Recognizing the importance of maintaining the validity of the Treaty on the Non-Proliferation of Nuclear Weapons 1/ as a vital instrument for promoting nuclear disarmament,

Recalling the importance of preserving in that Treaty an acceptable balance of mutual responsibilities and obligations for nuclear-weapon and non-nuclear-weapon States,

Reaffirming the belief that universal accession to the Treaty would greatly strengthen international peace and enhance the security of all States and, accordingly, urging States that are not parties to that international instrument to accede to it without delay,

Desiring to enforce the consolidation of the Treaty in order to achieve the ultimate goal of eliminating nuclear weapons,

Recalling that paragraph 2 of article X of the Treaty establishes that, 25 years after the Treaty's entry into force, the States parties will have to decide whether the Treaty shall continue in force indefinitely or shall be extended for an additional fixed period or periods,

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1/ General Assembly resolution 2373 (XXII), annex..

Convinced that the decision on the extension of the Treaty should lead to further progress in nuclear disarmament, in accordance with the preamble and article VI of the Treaty,

1. Decide that the Treaty on the Non-Proliferation of Nuclear Weapons shall remain in force indefinitely;

2. Decide also that conferences to review and evaluate the Treaty shall be held every five years and that the conference to be held in the year 2000 shall, as its first task, evaluate fulfilment of the commitments made at the 1995 Conference and the steps taken to achieve the Treaty's universality. To ensure their effectiveness, the conferences shall:

(a) Retain the structure of the review meetings by establishing three Main Committees which shall review how each of the Treaty's provisions has been implemented;

(b) Seek to establish specific objectives for attaining full compliance with each and every provision of the Treaty and its preamble, including, whenever possible, the setting of goals with a specific time-frame;

(c) Promote the establishment, within the context of the Treaty, of the necessary arrangements to permit the conduct of negotiations on specific issues between one conference and the next;

3. Urge all States participating in the Conference on Disarmament, in particular the nuclear-weapon States, to conduct intensive negotiations, as a matter of high priority, on the conclusion of a comprehensive nuclear-test-ban treaty as soon as possible but in no case later than 1996;

4. Reiterate their conviction that, pending the entry into force of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear tests through unilateral or agreed moratoriums;

5. Appeal for the immediate launching and early conclusion of negotiations in the Conference on Disarmament on a non-discriminatory and universally applicable convention banning the production of fissile material for weapons purposes, including possible consideration of the question of material already stockpiled;

6. Urge all States, especially the nuclear-weapon States, to work actively towards early agreement on a common approach designed to provide the necessary assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account Security Council resolutions 255 (1968) and 984 (1995) and the relevant resolutions of the General Assembly, and recommend that the Conference on Disarmament actively pursue intensive negotiations with a view to reaching early agreement on binding commitments on this subject and that it include in its next annual report to the United Nations General Assembly a section on this subject covering, inter alia, the alternatives discussed and the progress achieved;

7. Call upon the nuclear-weapon States, in the light of their statements during the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to cease all production of nuclear weapons in accordance with an effectively verifiable ban and to redouble their efforts to reduce their respective arsenals still further, with a view to their total elimination;

8. Recommend that a programme of action for the cessation of the nuclear-arms race should be considered as a major priority by the Conference on Disarmament;

9. Reaffirm their determination to strengthen still further the barriers to the proliferation of nuclear weapons and other nuclear explosive devices and to encourage the ongoing efforts of the International Atomic Energy Agency to enhance the effectiveness and efficiency of safeguards;

10. Reaffirm also the right of all parties to the Treaty to participate in the fullest possible exchange of equipment, materials, services and scientific and technological information for the further development of the peaceful uses of nuclear energy for economic and social development, according to their priorities, interests and needs;

11. Recognize that the establishment of nuclear-weapon-free zones, on the basis of agreements freely concluded among the States of the region concerned, strengthens regional and global peace and security and contributes to the ultimate goal of a world free of nuclear weapons, and urge all States to support and respect those regional agreements and encourage the efforts being made to establish new nuclear-weapon-free zones.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.2
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

EXTENSION OF THE TREATY ON NON-PROLIFERATION OF NUCLEAR WEAPONS

Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Republic of Palau, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan: draft decision

The Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in accordance with article X.2 of the Treaty, decides that the Treaty shall continue in force indefinitely.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.3
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Democratic People's Republic of Korea, Indonesia, Iran (Islamic Republic of), Jordan, Malaysia, Mali, Myanmar, Nigeria, Papua New Guinea, Thailand and Zimbabwe: draft decision

The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in conformity with the provisions of paragraph 2 of article X of the Treaty, decides:

(a) That the Treaty shall continue in force for rolling fixed periods of twenty-five years. At the end of each fixed period a review and extension conference shall be convened to conduct an effective and comprehensive review of the operation of the Treaty. The Treaty shall be extended for the next fixed period of twenty-five years unless the majority of the parties to the Treaty decide otherwise at the review and extension conference;

(b) That, in conformity with paragraph 3 of article VIII, five years after the adoption of this extension decision, a review conference shall be convened and subsequent review conferences shall be convened at intervals of five years thereafter to conduct effective and comprehensive reviews of the operation of the Treaty;

(c) That the review conferences shall identify specific objectives to be achieved with a view to the full implementation of the purposes of the Preamble and the obligations and commitments undertaken by the Parties under the Treaty and shall make concrete recommendations for the attainment of such objectives. These objectives include, inter alia, the attainment, within specific time-frames, of the following:

(i) A comprehensive nuclear-test-ban treaty;

(ii) A legally binding international instrument to provide comprehensive assurances to the non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(iii) A cut-off in the production and the elimination of stockpiling of fissile materials and other nuclear devices for weapons purposes;

(iv) The elimination of nuclear weapons and other weapons of mass destruction;

(v) Establishment of nuclear-weapon-free zones;

(vi) The unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes;

as well as the commitment of States parties to achieve universality of the Treaty as a means in promoting international peace and security.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.4
10 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

STRENGTHENING THE REVIEW PROCESS FOR THE TREATY

Draft decision proposed by the President

1. The Conference examined the implementation of article VIII, 3, of the Treaty and agreed to strengthen the review process for the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized.

2. The States party to the Treaty participating in the Conference decided, in accordance with article VIII, 3, of the Treaty, that Review Conferences should continue to be held every five years and that, accordingly, the next Review Conference should be held in the year 2000.

3. The Conference decided that, beginning in 1997, the Preparatory Committee should hold, normally for a duration of 10 working days, a meeting in each of the three years prior to the Review Conference. If necessary, a fourth preparatory meeting may be held in the year of the Conference.

4. The purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference. These include those identified in the Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted on __ May 1995. These meetings should also make the procedural preparations for the next Review Conference.

5. The Conference also concluded that the present structure of three Main Committees should continue and the question of an overlap of issues being discussed in more than one Committee should be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee.

6. It was also agreed that subsidiary bodies could be established within the respective Main Committees for specific issues relevant to the Treaty, so as to provide for a focused consideration of such issues. The establishment of such subsidiary bodies would be recommended by the Preparatory Committee for each Review Conference in relation to the specific objectives of the Review Conference.

7. The Conference agreed further that Review Conferences should look forward as well as back. They should evaluate the results of the period they are reviewing, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which, and the means through which, further progress should be sought in the future. Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.5
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

PRINCIPLES AND OBJECTIVES FOR NUCLEAR NON-PROLIFERATION AND DISARMAMENT

Draft decision proposed by the President

Reaffirming the preamble and articles of the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the end of the cold war, the ensuing easing of international tension and the strengthening of trust between States,

Desiring a set of principles and objectives in accordance with which nuclear non-proliferation, nuclear disarmament and international cooperation in the peaceful uses of nuclear energy should be vigorously pursued and progress, achievements and shortcomings evaluated periodically within the review process provided for in article VIII (3) of the Treaty, the enhancement and strengthening of which is welcomed,

Reiterating the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

The Conference affirms the need to continue to move with determination towards the full realization and effective implementation of the provisions of the Treaty, and accordingly adopts the following principles and objectives:

Universality

1. Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons is an urgent priority. All States not yet party to the Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve this objective.

Non-proliferation

2. The proliferation of nuclear weapons would seriously increase the danger of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital

role to play in preventing the proliferation of nuclear weapons. Every effort should be made to implement the Treaty in all its aspects to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty.

Nuclear disarmament

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

4. The achievement of the following measures is important in the full realization and effective implementation of article VI, including the programme of action as reflected below:

(a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;

(b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

(c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

Nuclear-weapon-free zones

5. The conviction that the establishment of internationally recognized nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security is reaffirmed.

6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.

7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

Security assurances

8. Noting United Nations Security Council resolution 984 (1995), which was adopted unanimously on 11 April 1995, as well as the declarations by the nuclear-weapon States concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument.

Safeguards

9. The International Atomic Energy Agency (IAEA) is the competent authority responsible to verify and assure, in accordance with the statute of the IAEA and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III (1) of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Nothing should be done to undermine the authority of the IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the IAEA to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

10. All States parties required by article III of the Treaty to sign and bring into force comprehensive safeguards agreements and which have not yet done so should do so without delay.

11. IAEA safeguards should be regularly assessed and evaluated. Decisions adopted by its Board of Governors aimed at further strengthening the effectiveness of IAEA safeguards should be supported and implemented and the IAEA's capability to detect undeclared nuclear activities should be increased. Also States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should be urged to enter into comprehensive safeguards agreements with the IAEA.

12. New supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of IAEA full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

13. Nuclear fissile material transferred from military use to peaceful nuclear activities should, as soon as practicable, be placed under IAEA safeguards in the framework of the voluntary safeguards agreements in place with the nuclear-weapon States. Safeguards should be universally applied once the complete elimination of nuclear weapons has been achieved.

Peaceful uses of nuclear energy

14. Particular importance should be attached to ensuring the exercise of the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II as well as III of the Treaty.

15. Undertakings to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented.

16. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty, taking the needs of developing countries particularly into account.

17. Transparency in nuclear-related export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty.

18. All States should, through rigorous national measures and international cooperation, maintain the highest practicable levels of nuclear safety, including in waste management, and observe standards and guidelines in nuclear materials accounting, physical protection and transport of nuclear materials.

19. Every effort should be made to ensure that the IAEA has the financial and human resources necessary in order to meet effectively its responsibilities in the areas of technical cooperation, safeguards and nuclear safety. The IAEA should also be encouraged to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources.

20. Attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

The Conference requests that the President of the Conference bring this decision, the Decision on Strengthening the Review Process of the Treaty, the Decision on the Extension of the Treaty and the Final Declaration of the Conference to the attention of the heads of State or Government of all States and seek their full cooperation on these documents and in the furtherance of the goals of the Treaty.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.6
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Draft decision proposed by the President

The Conference of the States party to the Treaty on the Non-Proliferation of Nuclear Weapons (herein[illegible]), convened in New York from 17 April to 12 May 1995 in accordance with articles VIII.3 and X.2 of the Treaty,

Having reviewed the operation of the Treaty and affirming that there is a need for full compliance with the Treaty, its extension and its universal adherence, which are essential to international peace and security and the attainment of the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

Having reaffirmed article VIII.3 of the Treaty and the need for its continued implementation in a strengthened manner and, to this end, emphasizing the Decision on Strengthening the Review Process for the Treaty and the Decision on Principles and Objectives for nuclear non-proliferation and disarmament also adopted by the Conference,

Having established that the Conference is quorate in accordance with article X.2 of the Treaty,

Decides that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance with its article X.2, the Treaty shall continue in force indefinitely.

1995 Review and Extension Conference
# of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.7
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Mauritania, Morocco, Qatar, Saudi Arabia, Sudan, Tunisia, Yemen: draft resolution

The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992, 1/ affirmed that the proliferation of nuclear and all other weapons of mass destruction constitutes a threat to international peace and security,

Reaffirming the importance of the early realization of universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons by all States in the Middle East,

Recalling General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution 49/71 adopted on 15 December 1994,

Also recalling the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of September 1994, and noting the danger of nuclear proliferation especially in areas of tension,

Also bearing in mind Security Council resolution 687 (1991) and particularly paragraph 14 thereof,

Noting Security Council resolution 984 (1995),

1/ S/23500.

1. Expresses deep concern at the continued existence in the Middle East of unsafeguarded Israeli nuclear facilities;

2. Calls upon Israel to accede without delay to the Treaty on the Non-Proliferation of Nuclear Weapons and to place all its nuclear activities under Agency full-scope safeguards;

3. Calls upon all States in the Middle East to take practical steps towards the establishment of a verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and, pending the establishment of such a zone, to refrain from taking any measures that may hinder the realization of these objectives;

4. Calls upon all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early and successful establishment of a Middle East free of nuclear and all other weapons of mass destruction and their delivery system;

5. Invites the five nuclear-weapon States to consider, as a matter of priority, and as an interim measure, granting security assurances to the States in the region parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/L.8
10 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992, [1] affirmed that the proliferation of nuclear and all other weapons of mass destruction constituted a threat to international peace and security,

Recalling also General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution 49/71 of 15 December 1994,

Recalling further the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, and noting the danger of nuclear proliferation, especially in areas of tension,

Bearing in mind Security Council resolution 687 (1991) and in particular paragraph 14 thereof,

Noting Security Council resolution 984 (1995) and paragraph 8 of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the Conference on 11 May 1995,

Bearing in mind the other decisions adopted by the Conference on 11 May 1995,

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[1] S/23500.

1. Endorses the aims and objectives of the Middle East peace process and efforts to remove obstacles to that end, and recognizes that these efforts are conducive to progress towards, inter alia, a Middle East zone free of nuclear weapons and other weapons of mass destruction;

2. Notes with satisfaction that, in its report (NPT/CONF.1995/MC.III/1), Main Committee III of the Conference recommended that the Conference "call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities"; 2/

3. Notes with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, and reaffirms in this connection the recommendation contained in paragraph VI/3 of the report of Main Committee III urging those non-parties to the Treaty which operate unsafeguarded nuclear facilities to accept full scope International Atomic Energy Agency safeguards;

4. Reaffirms the importance of the early realization of universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, and calls upon all States of the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full scope International Atomic Energy Agency safeguards;

5. Calls upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective;

6. Calls upon all States party to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

2/ See NPT/CONF.1995/MC.III/1.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/1
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF MAIN COMMITTEE I

Establishment and terms of reference

1. Pursuant to rule 34 of its rules of procedure, as provisionally applied, the Conference established Main Committee I as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

  (i) Articles I and II and preambular paragraphs 1 to 3;

  (ii) Article VI and preambular paragraphs 8 to 12;

  (iii) Article VII, with specific reference to the main issues considered in (a) and (b);

(b) Security assurances:

  (i) United Nations Security Council resolution 255 (1968);

  (ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Officers of the Committee

2. The Conference elected Mr. Isaac Ayewah (Nigeria) as the Chairman of the Committee; Mr. Anatoli Zlenko (Ukraine) and Mr. Richard Starr (Australia) served as Vice-Chairmen of the Committee.

Documents before the Committee

Background documentation*

3. The Committee had before it the following background documents:

NPT/CONF.1995/2	Developments since the Fourth Review Conference of the parties to the Treaty towards the realization of the purposes of the tenth preambular paragraph of the Treaty
NPT/CONF.1995/3	Implementation of articles I and II of the Treaty
NPT/CONF.1995/4	Developments since the Fourth Review Conference of the parties to the Treaty relating to article VI of the Treaty
NPT/CONF.1995/5 and Corr.1	Implementation of article VII of the Treaty
NPT/CONF.1995/6	Developments with regard to effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons
NPT/CONF.1995/7/Part I	Activities of IAEA relevant to article III of the Treaty (prepared by the IAEA secretariat)
NPT/CONF.1995/7/Part II	Other activities relevant to article III of the Treaty (prepared by the United Nations Secretariat)
NPT/CONF.1995/8	Activities of IAEA relevant to article IV of the Treaty
NPT/CONF.1995/9	Activities of IAEA relevant to article V of the Treaty
NPT/CONF.1995/10 and Add.1	Memorandum from the General Secretariat of the Agency for Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the Conference
NPT/CONF.1995/11	South Pacific Nuclear-Free-Zone Treaty

Documents containing elements relevant to a Final Declaration

4. The following documents were submitted to the Conference on the items allocated to the Committee:

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* Some of the documents may also cover items allocated to other Main Committees.

NPT/CONF.1995/13	Letter dated 23 March 1995 from the Permanent Representative of Hungary addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/14	Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/15	Letter dated 27 March from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/16	Note verbale dated 29 March 1995 from the Permanent Mission of Benin addressed to the secretariat of the Conference
NPT/CONF.1995/17	Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/18	Letter dated 17 April 1995 from the Permanent Representative of the People's Republic of China to the United Nations and Deputy Head of the Chinese Delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/19	Letter dated 17 April 1995 from the Alternate Head of the Indonesian Delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/20	Letter dated 17 April 1995 from the representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General of the Conference
NPT/CONF.1995/23	Letter dated 20 April 1995 from the Under Secretary for Multilateral Affairs and Head of the Delegation of Mexico addressed to the Secretary-General of the Conference
NPT/CONF.1995/24	Letter dated 21 April 1995 from the Head of the Delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference
NPT/CONF.1995/25	Note verbale dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference

NPT/CONF.1995/26	Letter dated 25 April 1995 from the Permanent Representative of the People's Republic of China to the United Nations and Deputy Head of the Chinese Delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/L.1	Draft resolution submitted by Mexico

5. The following documents were submitted to the Committee on the items allocated to it:

NPT/CONF.1995/MC.I/WP.1	Letter dated 25 April 1995 from the Head of the Delegation of Mexico addressed to the Secretary-General of the Conference transmitting a draft protocol to the Treaty
NPT/CONF.1995/MC.I/WP.2	Proposed elements on nuclear disarmament for the final document: working paper submitted by China
NPT/CONF.1995/MC.I/WP.3	Review of articles I and II and the first to third preambular paragraphs: working paper submitted by Iraq transmitting an excerpt from a communication dated 5 April 1995 from the Director General of IAEA to the Secretary-General of the United Nations
NPT/CONF.1995/MC.I/WP.4 and Corr.1	Security assurances to non-nuclear-weapon States: working paper submitted by Egypt
NPT/CONF.1995/MC.I/WP.5 (also issued as NPT/CONF.1995/MC.I/CRP.23)	Article VI and preambular paragraphs 8 to 12: working paper submitted by the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/WP.6 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.5)	Document CD/1277 (6 September 1994) of the Conference on Disarmament containing a draft protocol on security assurances, circulated at the request of Myanmar
NPT/CONF.1995/MC.I/WP.7 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.9)	Collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995): proposal submitted by Egypt
NPT/CONF.1995/MC.I/WP.8 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.3)	Treaty to conclude an agreement on negative security assurances to become a protocol to the Treaty: proposal submitted by Nigeria
NPT/CONF.1995/MC.I/WP.9 (also issued as NPT/CONF.1995/MC.I/CRP.11)	Review of articles I and II and the first to third preambular paragraphs: language proposed by the members of the Movement of Non-Aligned Countries parties to the Treaty

NPT/CONF.1995/MC.I/WP.10 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.11)	Textual option for the report of Main Committee I: review of security assurances and nuclear-weapon-free zones: working document submitted by Indonesia on behalf of the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/WP.11 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.10)	More elaborate security assurances for non-nuclear-weapon States: working paper submitted by Egypt
NPT/CONF.1995/MC.I/CRP.3	Security Council resolution 707 (1991), circulated at the request of the United States of America
NPT/CONF.1995/MC.I/CRP.4	Security Council resolution 825 (1993), circulated at the request of the United States of America
NPT/CONF.1995/MC.I/CRP.5	Review of articles I and II and the first to third preambular paragraphs: language proposed by Egypt
NPT/CONF.1995/MC.I/CRP.6	Review of articles I and II and the first to third preambular paragraphs: language proposed by the European Union
NPT/CONF.1995/MC.I/CRP.7	Review of articles I and II and the first to third preambular paragraphs with reference to the European Union paper (NPT/CONF.1995/MC.I/CRP.6): language proposed by the United States of America
NPT/CONF.1995/MC.I/CRP.9	Review of articles I and II and the first to third preambular paragraphs: language proposed by Belarus and Ukraine
NPT/CONF.1995/MC.I/CRP.10	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.1995/MC.I/CRP.11 (also issued as NPT/CONF.1995/MC.I/WP.9)	Review of articles I and II and the first to third preambular paragraphs: language proposed by the members of the Movement of Non-Aligned Countries parties to the Treaty

NPT/CONF.1995/MC.I/CRP.12	Review of article VI and the eighth to twelfth preambular paragraphs with reference to NPT/CONF.1995/MC.I/CRP.10: language proposed by the United States of America
NPT/CONF.1995/MC.I/CRP.13	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Ireland
NPT/CONF.1995/MC.I/CRP.14	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Sweden
NPT/CONF.1995/MC.I/CRP.15	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Japan
NPT/CONF.1995/MC.I/CRP.16	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Norway
NPT/CONF.1995/MC.I/CRP.17	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by China
NPT/CONF.1995/MC.I/CRP.18	Review of articles I and II and the first to third preambular paragraphs: language proposed by Belarus and Ukraine
NPT/CONF.1995/MC.I/CRP.19	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Austria
NPT/CONF.1995/MC.I/CRP.21	Programme of action for nuclear disarmament: proposal submitted by Nigeria
NPT/CONF.1995/MC.I/CRP.22	Effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament: language proposed by New Zealand
NPT/CONF.1995/MC.I/CRP.23 (also issued as NPT/CONF.1995/MC.I/WP.5)	Review of article VI and the eighth to twelfth preambular paragraphs: working document submitted by the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/CRP.24	Review of article VI and the eighth to twelfth preambular paragraphs with reference to NPT/CONF.1995/MC.I/CRP.20: language proposed by the Philippines

NPT/CONF.1995/MC.I/CRP.25	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Belarus
NPT/CONF.1995/MC.I/CRP.26	Report of the Working Group on Security Assurances and article VII
NPT/CONF.1995/MC.I/CRP.27	Proposed variations to paragraph 9 of the Chairman's paper (NPT/CONF.1995/CRP.20/Rev.2) on the review of articles I and II and the first to third preambular paragraphs, submitted by Algeria, Gabon, Ireland and Ukraine
NPT/CONF.1995/MC.I/WG.I/CRP.2	Position of France on security assurances to non-nuclear-weapon States
NPT/CONF.1995/MC.I/WG.I/CRP.3 (also issued as NPT/CONF.1995/MC.I/WP.8)	Agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty: proposal submitted by Nigeria
NPT/CONF.1995/MC.I/WG.I/CRP.5 (also issued as NPT/CONF.1995/MC.I/WP.6)	Document CD/1277 (6 September 1994) of the Conference on Disarmament containing a draft protocol on security assurances, circulated at the request of Myanmar
NPT/CONF.1995/MC.I/WG.I/CRP.6	Nuclear-weapon-free zones: language proposed by China
NPT/CONF.1995/MC.I/WG.I/CRP.7	Article VII: language proposed by Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa
NPT/CONF.1995/MC.I/WG.I/CRP.9 (also issued as NPT/CONF.1995/MC.I/WP.7)	Collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995): proposal submitted by Egypt
NPT/CONF.1995/MC.I/WG.I/CRP.10 (also issued as NPT/CONF.1995/MC.I/WP.11)	Security assurances to non-nuclear-weapon States parties to the nuclear-weapon-free zone arrangements: language proposed by Egypt
NPT/CONF.1995/MC.I/WG.I/CRP.11 (also issued as NPT/CONF.1995/MC.I/WP.10)	Textual option for the report of Main Committee I: review of security assurances and nuclear-weapon-free zones: working document submitted by Indonesia on behalf of the members of the Movement of Non-Aligned Countries parties to the Treaty

Work of the Committee

6. The Committee held 12 formal meetings between 19 April and 6 May 1995; an account of the discussions is contained in the relevant summary records (NPT/CONF.1995/MC.I/SR.1-12). After an initial general exchange of views on the agenda items referred to it, the Committee gave consideration to proposals contained in the documents listed in paragraphs 3 to 5 above.

7. At its first meeting, on 19 April 1995, the Committee established an open-ended working group to facilitate the consideration of matters before it.

8. The allocation of work was as follows:

(a) Working Group I (chaired by Mr. Richard Starr) considered issues of security assurances and article VII allocated to the Committee;

(b) By agreement with the Chairman of Main Committee II, the relevant aspects of article VII were addressed in an open-ended working group established to consider the topic of nuclear-weapon-free zones.

9. The Committee agreed on the following formulations for the Final Document of the Conference:

I. REVIEW OF ARTICLES I AND II AND THE FIRST TO THIRD PREAMBULAR PARAGRAPHS

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference therefore welcomes the accession to the Treaty on the Non-Proliferation of Nuclear Weapons since the last Review Conference of the following States: Algeria, Argentina, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, China, Croatia, Czech Republic, Eritrea, Estonia, France, Georgia, Guyana, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Myanmar, Namibia, Niger, Palau, Republic of Moldova, Slovakia, Slovenia, South Africa, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, United Republic of Tanzania, Uzbekistan, Zambia and Zimbabwe. The Conference notes with satisfaction that the vast majority of States Members of the United Nations, including all five nuclear-weapon States, as defined in article IX, are now parties to the Treaty. The Conference remains convinced that full compliance of all parties with, and universal adherence to, the Treaty is the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

2. The Conference congratulates [welcomes] South Africa for voluntarily giving up its nuclear-weapons programme and acceding to the Treaty as a non-nuclear-weapon State. The Conference welcomes the accession of Belarus, Kazakhstan and Ukraine to the Treaty as non-nuclear-weapon States and the voluntary renunciation of nuclear weapons by them, and notes with satisfaction the significant contribution of those States to nuclear

disarmament and the strengthening of regional and global security. The Conference believes that these actions have strengthened the Treaty, and, recognizing that example, calls upon other States non-parties to accede to it without delay.

3. The Conference reaffirms its determination to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by non-nuclear-weapon States parties to the Treaty. Such proliferation would add immeasurably to regional and international tensions. It would increase the risk of nuclear war and endanger the security of all States.

4. The Conference reiterates the concerns and reaffirms the convictions expressed in the first to third preambular paragraphs and agrees that they remain valid. The Conference reaffirms that a nuclear war cannot be won and must never be fought, considering the devastation that a nuclear war would bring. The Conference further reaffirms its conviction that proliferation of nuclear weapons, in any form, would seriously increase the danger of nuclear war. In that light, the Conference welcomes the statement of 31 January 1992 by the United Nations Security Council that "the proliferation of all weapons of mass destruction constitutes a threat to international peace and security".

5. The Conference acknowledges the declarations by the nuclear-weapon States that they have fulfilled their obligations under article I, [with exceptions that have been noted by the international community. The Conference underscores the need for nuclear-weapon States to remain in full compliance with the letter and the spirit of article I. The Conference further reiterates that the prohibition of the transfer of nuclear weapons and nuclear explosive devices includes transfers between nuclear-weapon States.]

6. The Conference further acknowledges that the non-nuclear-weapon States have fulfilled their obligations under article II, with exceptions that have been noted by the international community.

7. [The Conference underlines the vital need for the nuclear-weapon States and the non-nuclear-weapon States parties to the Treaty to comply scrupulously and unreservedly with their respective obligations under articles I and II in all their activities and programmes in order not to undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

7 *bis*. [The Conference underlines the vital need for the nuclear-weapon States and the non-nuclear-weapon States parties to the Treaty, in all their activities and programmes, to comply scrupulously and unreservedly with their respective obligations under articles I and II in order not to undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

8. [The Conference expresses serious concern that the nuclear programmes of certain States non-parties to the Treaty may, particularly in the Middle

East and South Asia, have led them to obtain, or seek to obtain, a nuclear-weapons capability. This lack of respect for the non-proliferation regime is prejudicial to international peace and security. The Conference takes note of the particular concern expressed by many States parties about the ambiguous status of the nuclear-weapons capability of Israel. The Conference calls upon all States parties to undertake a total and complete prohibition of the transfer of all sensitive nuclear technology to those certain States non-parties and to refrain from extending them assistance in the nuclear field. The Conference calls on all States non-parties to renounce the nuclear-weapons option, to accede to the Treaty and to accept full-scope IAEA safeguards on all their nuclear activities as an important confidence-building measure and as a step towards the universality of the Treaty, thus enhancing international peace and security.]

8 bis. [The Conference expresses serious concern that the nuclear programmes [and activities] of certain States non-parties to the Treaty may, particularly in the Middle East, have led them to obtain, or seek to obtain, a nuclear-weapons capability. This lack of respect for the non-proliferation regime is prejudicial to international peace and security. [The Conference expresses great and serious concern about the nuclear-weapons capability of Israel.] The Conference calls upon all States Parties to undertake a total and complete prohibition of the transfer of all sensitive nuclear technology to those certain States non-parties and to refrain from extending them assistance in the nuclear field. The Conference calls on all States non-parties to renounce the nuclear-weapons option, to accede to the Treaty and to accept full-scope IAEA safeguards on all their nuclear activities as an important confidence-building measure and as a step towards the universality of the Treaty, thus enhancing international peace and security.]

8 ter. [The Conference expresses great and serious concern about the nuclear-weapons capabilities of Israel. In this connection, the Conference calls for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and refraining from extending assistance in the nuclear, scientific or technological fields to Israel. The Conference also calls upon Israel to accede to the Treaty and to place all of its nuclear facilities under the full-scope IAEA safeguards. In this respect, the Conference also call[s] on all other States non-parties to the Treaty to accede to the Treaty and to subject whatever nuclear facilities they might have to the full-scope IAEA safeguards.]

8 qua. [The Conference also expresses serious concern over the nuclear [programmes and] activities of certain States non-parties to the Treaty in South Asia. The Conference calls upon the concerned States to accede to the Treaty and to place all their nuclear programmes and facilities under full-scope IAEA safeguards forthwith.]

8 qui. [The Conference expresses grave and serious concern about the nuclear-weapons capabilities of Israel. In this connection, the Conference calls upon Israel to renounce its nuclear-weapons option, to accede to the Treaty, and to accept full-scope IAEA safeguards on all its nuclear

activities as an important confidence-building measure and as a step towards the universality of the Treaty, thus enhancing both regional and international peace and security.]

9. [The Conference notes that among States parties there are variations in the interpretation [various interpretations of the implementation] of certain aspects of articles I and II which need clarification, especially regarding the obligations of nuclear-weapon States parties among themselves and when acting in cooperation with groups of nuclear-weapon States parties and non-nuclear-weapon States parties under regional arrangements which may have resulted in transfer of nuclear weapons in violation of the spirit and objective of article I.]

9 bis. [The Conference notes with grave concern the nuclear collaboration among certain nuclear-weapon States and their collaboration with certain States non-parties to the Treaty, as well as the transfer of nuclear weapons and their control to States parties, under regional security alliances and arrangements. The Conference is convinced that such acts run counter to the spirit and letter of the Treaty, in particular articles I and II, and give rise to proliferation of nuclear weapons in all their aspects.]

9 ter. [The Conference notes that among States parties there are various interpretations of certain aspects of articles I and II, especially regarding the obligations of nuclear-weapon States parties among themselves and when acting in cooperation with groups of non-nuclear-weapon States parties. Pending that clarification, the Conference underlines the vital need for all parties to the Treaty to avoid any actions or statements that could raise questions about their full compliance, and thereby undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

9 qua. [The Conference agrees that [existing security arrangements are implemented in full compliance with articles I and II of the Treaty] the provisions of articles I and II are fully compatible with the commitment undertaken by States parties in existing security agreements.]

9 qui. [The Conference notes that among States parties there are various interpretations of certain aspects of articles I and II, inter alia, regarding the obligations of nuclear-weapon States parties among themselves and when acting in cooperation with groups of non-nuclear-weapon States, as well as the full compatibility of the existing security arrangements with articles I and II of the Treaty.]

9 sex. [The Conference notes that among States parties there are various interpretations of certain aspects of articles I and II. The Conference underlines the vital need for all parties to the Treaty to avoid any actions that could raise questions about their full compliance, and thereby undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

9 sep. [The Conference notes that among States parties there are various interpretations of articles I and II. Pending confirmation on the full compatibility of the existing security arrangements with the provisions of articles I and II, the Conference underlines the vital need for all parties to the Treaty to avoid any actions or statements that could raise questions about their full compliance, and thereby undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

9 okt. [The Conference notes that among States parties there are various interpretations of articles I and II. The Conference reminds States parties of the need to ensure that security arrangements are compatible with the Treaty.]

10. The Conference calls on all States parties to renew their commitments to the Treaty and to maintain their vigilance so that the spirit and objectives of the Treaty, as well as their obligations, are upheld.

11. The Conference stresses that strict compliance with the terms of articles I and II remains central to achieving the shared objectives of preventing under any circumstances the further proliferation of nuclear weapons and other nuclear explosive devices and preserving the Treaty's vital contribution to international peace and security.

II. ARTICLE VI AND THE EIGHTH TO TWELFTH PREAMBULAR PARAGRAPHS

General

1. [The Conference reaffirms that the prevention of the proliferation of nuclear weapons is not an end in itself, but an intermediate step leading towards the ultimate objective of complete prohibition and thorough destruction of nuclear weapons. The Conference further reaffirms that all nuclear weapons must be eliminated from the face of the earth in the spirit of the preamble of the Treaty.]* The Conference recalls that under the provisions of article VI each of the parties undertakes to pursue negotiations in good faith on effective measures relating to:

(a) Cessation of the nuclear-arms race at an early date;

(b) Nuclear disarmament;

(c) A treaty on general and complete disarmament under strict and effective international control.

2. The Conference also recalls the eighth to twelfth preambular paragraphs, by which the parties:

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* Placement to be decided later.

(a) Declared their intention to achieve at the earliest possible date the cessation of the nuclear-arms race and to undertake effective measures in the direction of nuclear disarmament;

(b) Urged the cooperation of all States in the attainment of this objective;

(c) Recalled the determination expressed by the parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (the partial test-ban Treaty) in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end;

(d) Expressed their desire to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control;

(e) Recalled that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.

3. [The Conference notes with regret that the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled since the Treaty came into force. The Conference then reviewed the operation of the Treaty in respect of each aspect of article VI and of the eighth to twelfth preambular paragraphs.]

3 bis. [The Conference notes with regret that the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled since the Treaty came into force. In this regard, the Conference stresses the need for the cessation of the nuclear-arms race at the earliest possible date and to undertake effective measures in the direction of nuclear disarmament. In this context, the Conference urges the cooperation of all States in the attainment of this objective.]

3 ter. [The Conference recognizes that there has been dramatic progress in the period under review concerning implementation of the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty, but notes with regret that these provisions have not been completely fulfilled. The Conference then reviewed the operation of the Treaty in respect of each aspect of article VI and of the eighth to twelfth preambular paragraphs.]

Cessation of the nuclear-arms race

4. [The Conference notes with concern that the nuclear-arms race has not ceased. The Conference is convinced that as long as a comprehensive test-ban treaty, a non-discriminatory and universally applicable treaty banning the production and stockpiling of fissile material for nuclear weapons and other explosive devices, and a legally binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons, have not been concluded, and the nuclear-arms race continues, particularly with respect to continuing qualitative improvements to existing nuclear weapons and their delivery systems, it will remain, as before, a major source of concern.]

5. [The Conference recognizes that for most of the period since the entry into force of the Treaty, the nuclear-arms race has [continued unabated and has] been a source of concern, although some progress may have been made in some respects. Until recently, this fact has coloured the appreciation of the worth of the Treaty as a whole, although developments in the international situation since the end of the cold war have now permitted a new approach. In this regard, the Conference welcomes the unilateral commitments of the Russian Federation and the United States of America to undertake deep cuts [significant reductions] in the area of tactical nuclear weapons and strategic delivery systems.]

5 bis. [The Conference welcomes the fact that the nuclear-arms race has ceased. Positive international developments in recent years have led to dramatic [significant] reductions in nuclear arsenals as well as to other major arms control and disarmament achievements. The Conference expresses the expectation that this trend will continue and will encourage further efforts in arms control and disarmament negotiations.]

5 ter. [The Conference recognizes that for most of the period since the entry into force of the Treaty, the nuclear-arms race has continued unabated and has been a source of concern, although some progress may have been made in some respects. Developments in the international situation since the end of the cold war have now permitted a new approach. Positive international developments in recent years have led to dramatic reductions in nuclear arsenals as well as to other major arms control and disarmament achievements. The Conference expresses the expectation that this trend will continue and will encourage further efforts in arms control and disarmament negotiations. In this regard, the Conference welcomes the unilateral commitments of the Russian Federation and the United States of America to undertake deep cuts in the area of tactical nuclear weapons and strategic delivery systems.]

5 qua. [The Conference recognizes that for most of the period since the entry into force of the Treaty, the nuclear-arms race continued unabated and was a source of concern. Developments in the international situation since the end of the cold war have now permitted a new approach. Positive international developments in recent years have led to dramatic reductions in nuclear arsenals as well as to other major arms control and disarmament achievements. The Conference expresses the expectation that this trend

will continue and will encourage further efforts in arms control and disarmament negotiations. In this regard, the Conference welcomes the unilateral commitments of the Russian Federation and the United States of America to undertake deep cuts in the area of tactical nuclear weapons and strategic delivery systems.]

6. The Conference notes that the cessation of the nuclear-arms race has been manifested in many ways, the most notable demonstration being the deep cuts in nuclear armaments by the United States of America and the Russian Federation. The significant reductions by France and the United Kingdom of Great Britain and Northern Ireland are another sign that a corner has been turned and indeed that the race has been reversed, a development warmly welcomed by the Conference. The practical steps taken by some nuclear-weapon States, including [no-first use] de-targeting, [unconditional security assurances to non-nuclear-weapon States,] the removal of warheads and the relaxation of alert states are all positive signs indicative of the spirit and objectives of the Treaty.

7. [The Conference regrets that despite some positive developments, the nuclear-arms race continues, particularly with respect to continuing qualitative improvements to existing nuclear weapons and their delivery systems. The Conference remains convinced that proliferation of nuclear weapons, both horizontally and vertically, would seriously increase the danger of nuclear war. While recognizing the progress that has been made, the Conference believes that much of it is due to factors unrelated to the implementation of the Treaty. Therefore, in calling for further positive steps, the Conference recalls with regret that, since the Treaty came into force, the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled.]*

8. [The Conference recognizes [expresses grave concern about] the danger of [emanating from] certain States, with significant but unsafeguarded nuclear programmes, non-parties to the Treaty, creating a new form of nuclear-arms race.]

8 bis. [The Conference expresses grave concern about the danger of certain States, with significant but unsafeguarded nuclear programmes, non-parties to the Treaty, as well as nuclear-weapon States, creating a new form of nuclear-arms race.]

8 ter. [The Conference recognizes and expresses concern about the risk of proliferation that results from the continued presence of unsafeguarded nuclear facilities and programmes in States non-parties to the Treaty.]

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* May be considered with para. 5.

Nuclear disarmament

9. [The Conference notes with grave concern that negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control as called for in article VI have yet to begin.]

10. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. [The Conference calls for the continuation and intensification of nuclear-arms control and disarmament negotiations of all types with the participation of all nuclear-weapon States.] The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. This would provide a basis for further nuclear disarmament, involving all nuclear-weapon States.]

10 bis. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. This would provide a basis for further nuclear disarmament, involving all nuclear-weapon States.]

10 ter. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. This would provide a basis for further nuclear disarmament.]

10 qua. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear

disarmament, which remains their ultimate goal. The Conference also takes note with appreciation of the commitment by China to work towards a convention on the complete prohibition and thorough destruction of nuclear weapons. These commitments provide a basis for further nuclear disarmament, involving all nuclear-weapon States.]

11. [The Conference welcomes the fact that significant steps have been taken in regard to nuclear disarmament. It also stresses that further urgent efforts must be made towards the goal of general and complete disarmament under effective international control at an early date. [The Conference underlines that the objectives of non-proliferation and nuclear disarmament are mutually reinforcing and should be actively pursued together.]]

11 bis. [The Conference welcomes the reversal and transformation of the nuclear-arms race into a process of nuclear-arms control and disarmament. Over the next decade thousands of nuclear weapons are scheduled for dismantling and destruction. The Conference welcomes the fact that significant steps have been taken in regard to nuclear disarmament; it also stresses that further efforts must be made towards the goal of general and complete disarmament under effective international control at an early date.]

11 ter. [The Conference welcomes the fact that significant steps have been taken in regard to nuclear disarmament by the two major nuclear-weapons States. It stresses that further urgent efforts must be made towards the goal of general and complete disarmament under effective international control at an early date.]

12. [The Conference notes that during the period under review there has been a major improvement in the climate of bilateral relations between the Union of Soviet Socialist Republics, and now the Russian Federation, and the United States, as well as in the international climate as a whole. It also notes that efforts towards effective measures for nuclear disarmament have recently resulted in the conclusion of the Treaties between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I and START II) [which, pending their ratification and implementation, will ultimately result in substantial cuts in their nuclear arsenals] [which has led to deep cuts or intended reductions in their nuclear arsenals]. [START I has entered into force and START II is pending ratification, but deep cuts in accordance with these Treaties have already begun and are ongoing.] While acknowledging these steps the Conference urges them [to bring START II into force and] to implement fully the provisions of the treaties as soon as possible.]

12 bis. [The Conference notes that during the period under review there has been a major improvement in the climate of bilateral relations between the Union of Soviet Socialist Republics, and now the Russian Federation, and the United States, as well as in the international climate as a whole. It also notes that efforts towards effective measures for nuclear disarmament have recently resulted in the conclusion of the Treaties

between the United States and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I and START II) [which, pending their ratification and implementation, will ultimately result in substantial cuts in their nuclear arsenals] [which has led to deep cuts or intended reductions in their nuclear arsenals]. [START I has entered into force and START II is pending ratification, but deep cuts in accordance with these Treaties have already begun and are ongoing.] While acknowledging these steps the Conference urges them [to bring START II into force and] to implement fully the provisions of the treaties as soon as possible. [This would provide a basis for further nuclear disarmament, involving all nuclear-weapon States.] This disarmament process requires strict procedures for the safe handling and storage of nuclear-weapon components and weapons-grade fissile material in order to prevent the material from falling into wrong hands, and in order to take account of major environmental concerns. Further, the Conference notes the recent phenomena of smuggling and illicit trafficking in nuclear materials. In that regard it expresses concern about the danger presented by terrorists or other criminal elements who might gain access to nuclear materials with the potential for use in nuclear-weapons production, and urges the international community to be vigilant, to improve and develop mechanisms to thwart this potential proliferation risk and to eliminate the threat such developments pose to international peace and security.]

13. The Conference acknowledges the important contribution by Belarus, Kazakhstan and Ukraine to implementation of article VI of the Treaty through their effective efforts in nuclear disarmament and consistent fulfilment of their obligations under START I and the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles.

14. [The Conference also acknowledges the significant reductions by France and the United Kingdom in their respective nuclear-weapons programmes and encourages them to pursue their efforts in this regard. At the same time, while noting China's call for a binding convention prohibiting the production of nuclear weapons, the Conference calls upon it to take similar steps by reducing its nuclear stockpile.]

14 bis. [The Conference also acknowledges the reductions by France and the United Kingdom in their respective nuclear programmes and calls for more action in that regard. [The Conference notes the statements of France and the United Kingdom that they have committed themselves to reductions in their respective nuclear programmes, and calls upon them to implement those statements as soon as possible.] At the same time, while noting China's call for a binding convention prohibiting the production of nuclear-weapons programmes, the Conference calls upon it to take similar steps by reducing its nuclear stockpile.]

14 ter. [The Conference also acknowledges the reductions by France and the United Kingdom in their respective nuclear programmes and calls for more action in that regard. [The Conference notes the statements of France and the United Kingdom that they have committed themselves to reductions in their respective nuclear programmes, and calls upon them to implement those

statements as soon as possible.] The Conference notes China's call for a convention on the complete prohibition and thorough destruction of nuclear weapons under international supervision [and acknowledges that China has always exercised utmost restraint with respect to the development of nuclear weapons and kept its nuclear arsenal to a minimum level].]

14 qua. [The Conference also acknowledges the reductions by France and the United Kingdom in their respective nuclear programmes and calls for further accelerated disarmament measures in this regard. [The Conference notes the statements of France and the United Kingdom that they have committed themselves to reductions in their respective nuclear programmes, and calls upon them to implement those statements as soon as possible.] At the same time, while noting China's call for a binding convention prohibiting the production of nuclear-weapons programmes, the Conference calls upon it to take similar steps by reducing its nuclear stockpile.]

15. [The Conference recalls that, unfortunately, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force.] [It also notes, in terms of destructive power, that the arsenals are much less than in 1968.]

15 bis. [The Conference recalls that, unfortunately, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force. Accordingly, the Conference calls upon all nuclear-weapon States to cease all production of nuclear weapons under an effective, verifiable ban and to redouble their efforts to reduce their respective arsenals still further, with a view to their elimination.]

15 ter. [The Conference recalls with regret that these numbers far exceed those of 1968 when the Treaty was first signed.]

15 qua. [The Conference recalls that, notwithstanding the significant cuts in recent years, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force. [It acknowledges, however, that the gross explosive powers of the existing nuclear weapons is less than at the time the Treaty came into force.]]

15 qui. [The fact remains that the number of nuclear weapons currently existing is more than the number of nuclear weapons at the time the Treaty came into force. Accordingly, the Conference considers that it is timely for the States parties to negotiate a treaty which will ban nuclear weapons for ever.]

15 sex. [The Conference recalls that, notwithstanding the significant cuts in recent years, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force. It acknowledges, however, that the gross explosive powers of the existing nuclear weapons is less than at the time the Treaty came into force.]

16. [The Conference regrets the continuing lack of progress on relevant items of the agenda of the Conference on Disarmament, in particular those relating to the cessation of the nuclear-arms race and nuclear disarmament, the prevention of nuclear war, including all related matters, a convention on the production and stockpiling of weapons-grade fissile materials, the cessation of the production of nuclear weapons, the cessation of the production of their delivery vehicles, the prevention of an arms race in outer space and the establishment of an effective internationally negotiated legally binding instrument on security assurances.]

16 bis. [The Conference notes the important progress achieved in the Conference on Disarmament on some issues related to nuclear disarmament. It also notes the lack of progress at the Conference on Disarmament in other areas related to nuclear disarmament. It recalls that the agenda of the Conference on Disarmament, particularly on nuclear disarmament, is under review and expresses the wish that the Conference on Disarmament should intensify its efforts to carry forward progress in all areas.]

16 ter. [The Conference further notes the lack of progress at the Conference on Disarmament in many areas related to the question of nuclear disarmament and calls upon the members of that body to make substantial progress on items relating to nuclear disarmament.]

17. [[The Conference welcomes the fact that over the next decade thousands of nuclear weapons are scheduled for dismantling and destruction. This disarmament process requires strict procedures for the safe handling and storage of nuclear-weapon components and weapons-grade fissile material in order to prevent the material from falling into wrong hands, and in order to take account of major environmental concerns.] Further, the Conference notes the recent phenomena of smuggling and illicit trafficking in nuclear materials. In that regard it further expresses concern about the danger presented by terrorists or other criminal elements who might gain access to nuclear materials with the potential for use in nuclear-weapons production, and urges the international community to be vigilant, to improve and develop mechanisms to thwart this potential proliferation risk and to eliminate the threat such developments pose to international peace and security.]

17 bis. [[The Conference welcomes the fact that over the next decade thousands of nuclear weapons are scheduled for dismantling and destruction.] This disarmament process requires strict procedures for the safe handling and storage of nuclear-weapon components and weapons-grade fissile material in order to prevent the material from falling into wrong hands, and in order to take account of major environmental concerns. Further, the Conference notes the recent phenomena of smuggling and illicit trafficking in nuclear materials. In that regard it further expresses concern about the danger presented by unsafeguarded shipment of nuclear materials, including by terrorists or other criminal elements who might gain access to nuclear materials with the potential for use in nuclear-weapons production, and urges the international community to be vigilant, to improve and develop mechanisms to thwart this danger to the environment and security of all regions, in particular nuclear-weapon-free zones.]

18. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. The Conference calls for the intensification of nuclear arms control and disarmament negotiations of all types with the earliest participation of all nuclear-weapon States, with the ultimate goal of the elimination of nuclear weapons.]

18 _bis_. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. In this context, the Conference calls for the continuation of nuclear-arms control and disarmament negotiations of all types with the earliest participation of all nuclear-weapon States.]

18 _ter_. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. The Conference calls for the intensification of nuclear arms control and disarmament negotiations of all types with the earliest participation of all nuclear-weapon States, with the ultimate goal of the elimination of nuclear weapons.]

18 _qua_. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal.]

18 _qui_. [The Conference calls for the intensification of negotiations towards further reduction and elimination of all types of nuclear weapons and the means of their delivery, with the earliest participation of all nuclear-weapon States. The Conference believes that all the nuclear-weapon States should commit themselves to a definite, time-bound programme of action for the continued reduction of nuclear weapons, leading to their total elimination. The Conference calls upon the Conference on Disarmament to begin deliberating on the programme of action as soon as possible. The Conference firmly believes that such a programme of action will effectively contribute to the early realization of the objectives of article VI and the eighth to twelfth preambular paragraphs of the Treaty.]

[Comprehensive test-ban treaty]

19.* [The Conference expresses the view that the conclusion of a treaty banning all nuclear-weapon tests is one of the most important measures to halt the nuclear-arms race. The Conference reaffirms the determination expressed in the preamble to the 1963 Treaty Banning Nuclear-Weapon Tests in the Atmosphere, in Outer Space and under Water, and reiterated in the tenth preambular paragraph of the Treaty on the Non-Proliferation of Nuclear Weapons, to achieve the discontinuance of all test explosions of nuclear weapons for all time.]

19 bis. [The Conference recalls that the conclusion of a treaty banning all nuclear-weapon tests is one of the most important measures to halt the nuclear-arms race and expresses its belief that a comprehensive test-ban treaty would significantly enhance the universality and continued viability of the Treaty.]

20. [The Conference recalls the annual appeals made in General Assembly resolutions since 1981 calling for a moratorium on nuclear-weapon tests pending the conclusion of a comprehensive test-ban treaty. In this respect, the Conference notes the moratorium assumed by the four nuclear-weapon States and urges all the nuclear-weapon States to observe it.] The Conference welcomes the consensus resolution on a comprehensive test-ban treaty at the forty-eighth and forty-ninth sessions of the General Assembly (resolutions 48/70 of 16 December 1993 and 49/70 of 15 December 1994).

21. [The Conference also welcomes the establishment by the Conference on Disarmament in 1994 of an Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate a universal and internationally and effectively verifiable comprehensive nuclear test-ban treaty [which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time]. [The Conference further welcomes the progress made in the negotiations, on the basis of which a conclusion is now within reach.] The Conference urges all States participating in the Conference on Disarmament, in particular the nuclear-weapon States, to negotiate intensively, as a high priority task, and to conclude a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which would contribute to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects. The Conference also calls once more upon all States to support the multilateral negotiations in the Conference on Disarmament for a comprehensive nuclear-test-ban treaty and their conclusion without delay. The Conference affirms its support for the expeditious and intensive continuation of the negotiations as the highest priority for the Conference on Disarmament, with the aim of concluding the text of the treaty [in 1995, to enable signature no later than 1996].]

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* A proposal was made that the placement of paras. 19-29 would be determined at a later date.

21 bis. [The Conference notes with satisfaction that the Conference on Disarmament has reactivated its Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate intensively a comprehensive test-ban treaty which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time. The Conference emphasizes the critical importance of the Ad Hoc Committee on a Nuclear Test Ban completing its work by the end of 1995.]

21 ter. [The Conference also stresses the important contribution that a treaty banning nuclear-weapon tests would make towards strengthening and extending the international barriers against the proliferation of nuclear weapons, and that it would contribute greatly to the elimination of the grave threat to the environment and human health represented by continued nuclear testing. The Conference further stresses that adherence to such a treaty by all States would contribute substantially to the full achievement of the non-proliferation objective.]

21 qua. [The Conference welcomes also the establishment by the Conference on Disarmament in 1994 of an Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate a universal and internationally and effectively verifiable comprehensive test-ban treaty [which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time]. The Conference also welcomes the progress made in the negotiations, on the basis of which a conclusion is now within reach. The Conference urges all States participating in the Conference on Disarmament, in particular the nuclear-weapon States, to negotiate intensively, as a high priority task, and to conclude a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which would contribute to nuclear disarmament and the prevention of the proliferation of nuclear weapons. The Conference calls once more upon all States to support the multilateral negotiations in the Conference on Disarmament for a comprehensive nuclear-test-ban treaty and their conclusion without delay. The Conference affirms its support for the expeditious and intensive continuation of the negotiations as the highest priority for the Conference on Disarmament, with the aim of concluding the text of the treaty [in 1995, to enable signature no later than 1996].]

22. [The Conference welcomes the reaffirmation by France, the Russian Federation, the United Kingdom and the United States in their statement to the Conference on Disarmament of 6 April 1995 of their commitment to negotiate intensively, within the mandate of the Conference on Disarmament, a comprehensive test-ban treaty, leading to its early conclusion. The Committee also welcomes the commitment by China to work towards the conclusion of a comprehensive test-ban treaty as early as possible and no later than 1996.]

23. [The Conference expresses the hope, pending the conclusion of a comprehensive test-ban treaty in 1996, that the four nuclear-weapon States parties to the Treaty which have a moratorium on testing would continue that moratorium and that the remaining nuclear-weapon State would immediately undertake the same commitment.]

23 _bis_. [The Conference welcomes the reaffirmation of the conviction that the exercise of utmost restraint in respect of nuclear testing would be consistent with the negotiation of a comprehensive nuclear test-ban treaty.]

[_Ban on the production of fissile material_]

24. [The Conference recalls that a ban on the production and stockpiling of weapons-usable fissile material has been a long-sought objective of the international community.]

24 _bis_. [The Conference calls for an early conclusion of a non-discriminatory and universally applicable convention banning the production and stockpiling of weapons-usable fissile material. The Conference expresses the belief that such a convention would make an important contribution towards nuclear disarmament.]

24 _ter_.* [The Conference expresses grave concern about the danger presented by terrorists or other criminal elements who might have unauthorized access to nuclear installations and materials. The Conference urges the international community to elaborate instruments to eliminate the threat such developments pose to regional and global security.]

25. [The Conference welcomes the adoption by consensus at the forty-eighth session of the General Assembly of a resolution calling for the negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. [The Conference notes with regret that this consensus has not been renewed by the General Assembly at its forty-ninth session.]]

25 _bis_. [The Conference calls for the establishment of a non-discriminatory and universally applicable convention banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices. The Conference expresses the belief that such a convention would make an important contribution towards nuclear disarmament.]

26. It also welcomes the agreement reached in March 1995 to establish an ad hoc committee of the Conference on Disarmament to negotiate such a convention and urges that the negotiations begin forthwith. [Not only future production but also existing stockpiles should be the subject of these negotiations.]

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* Placement to be decided later.

27. Pending such a convention, the Conference acknowledges the respective commitments [and actions] taken by France (1992), the Russian Federation (1992), the United Kingdom (1995) and the United States (1992) regarding the cessation of the production of plutonium and/or highly enriched uranium for weapons or explosive purposes. It also acknowledges the bilateral statement of 4 October 1994, in which China and the United States agreed to work together for a convention as envisaged in the Conference on Disarmament. [It also notes the unresolved question of stockpiles and calls upon the nuclear-weapon States to clarify matters in that regard.]

28. [The Conference welcomes statements by the United States and the Russian Federation that their bilateral nuclear-arms race had ended. The Conference expressed its wish to make permanent the cessation of the nuclear-arms race as a further contribution to meeting the goals of article VI. The Conference therefore agrees that consideration should be given to the merits of complementing a comprehensive nuclear-test ban and ban on the production of fissile material for weapons purposes with an effectively verifiable ban on the production of nuclear weapons.]

General and complete disarmament

29. In reviewing steps towards a treaty on general and complete disarmament under strict and effective international control, the Conference welcomes the conclusion in 1992 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The Conference calls upon all States [which have not already done so, to sign and] to ratify the Convention in order to bring it into force at the earliest possible date. [With a view to bringing into force and to implementing the Convention at the earliest possible date, it calls upon all States to ratify the Convention.] The Conference commends ongoing efforts to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in particular in the field of verification, following the 1994 Special Conference of the States parties.

30. The Conference welcomes the review process of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects [in order to strengthen its Protocol II, in particular in the field of anti-personnel land mines].

31. [The Conference welcomes the significant reductions in conventional arms brought about by the implementation of the Treaty on Conventional Armed Forces in Europe. The Conference also welcomes the conclusion of the Treaty on Open Skies and urges [all countries which have not yet done so to ratify it as soon as possible] its rapid entry into force. The Conference notes progress in the Vienna Agreements on Confidence and Security-Building Measures.]

31 _bis_. [The Conference welcomes the significant reductions in conventional arms brought about by [the implementation of] the Treaty on Conventional Armed Forces in Europe. The Conference also welcomes the conclusion of the Treaty on Open Skies and urges [all countries which have not yet done so to ratify it as soon as possible] its rapid entry into force. The Conference notes progress in the Vienna Agreements on Confidence and Security-Building Measures.]

31 _ter_. [The Conference welcomes the significant reductions in conventional arms brought about by the Treaty on Conventional Armed Forces in Europe and calls for its strict implementation. The Conference also welcomes the conclusion of the Treaty on Open Skies and urges [all countries which have not yet done so to ratify it as soon as possible] its rapid entry into force. The Conference notes progress in the Vienna Agreements on Confidence and Security-Building Measures.]

32. [Despite the progress that has been made, the Conference regrets the fact that thousands are dying each year as a result of the use of conventional weapons. It notes with appreciation the efforts of the United Nations in that area and urges all States to report to its Register of Conventional Arms.]

32 _bis_. [Despite the progress that has been made, the Conference deplores the loss of thousands of innocent lives as a result of the use of conventional weapons. It notes with appreciation the efforts of the United Nations in developing principles for transparency in the transfer of conventional arms and invites all States to report to the Register of Conventional Arms.]

32 _ter_. [Despite the progress that has been made, the Conference deplores the loss of thousands of innocent lives as a result of the use of conventional weapons. The Conference urges States parties seriously to examine ways in which further progress can be made in this area.]

32 _qua_. [Despite the progress that has been made, the Conference deplores the loss of thousands of innocent lives as a result of the use of conventional weapons. The Conference welcomes the establishment of the Register of Conventional Arms, welcomes the various national contributions to the Register, and notes that all countries are invited to contribute annually to the Register. It further notes the efforts of the United Nations to develop transparency measures on conventional arms transfers. Finally, it calls upon the Conference on Disarmament to re-establish its Ad Hoc Committee on Transparency in Armaments.]

32 _qui_. [In reviewing progress towards a treaty on general and complete disarmament under strict and effective international control, the Conference takes note of a number of developments in the areas of chemical weapons, conventional force reductions and confidence and security-building measures. The Conference, however, regrets the lack of progress towards the realization of the Treaty itself. The Conference therefore calls for an intensified effort to bring greater confidence and the reduction of

armaments in all areas in pursuit of the objectives set out in the twelfth preambular paragraph as well as in article VI of the Treaty.]

33. [The Conference welcomes the end of the nuclear-arms race and the substantial progress made towards nuclear disarmament. It notes that if there had been cuts of this order in other types of weapons the world would be a safer and more stable place.]

34. [The Conference, however, recognizes that the goal of general and complete disarmament is unlikely to be attained without a concomitant strengthening of all States' security. It concludes that a world free of nuclear weapons is not conceivable in the absence of universal membership of the Treaty and complete and permanent assurances of non-proliferation.]

35. [The Conference urges the Conference on Disarmament to begin in 1996 negotiations on a comprehensive programme of disarmament, encompassing all measures in order to ensure that the goal of general and complete disarmament under effective international control will be achieved at the earliest time in order to fulfil one of the provisions of article VI of the Treaty.]

Conclusion

36. [The Conference, in its review of article VI and the eighth to twelfth preambular paragraphs, observes that in many areas there has been some progress towards the achievement of the purposes and objectives of the Treaty. In other areas work remains to be done, especially in the field of qualitative improvements to nuclear weapons and their delivery systems.]

36 bis. [The Conference, in its review of article VI and the eighth to twelfth preambular paragraphs, observes that much remains to be done before the objectives and aspirations of the Treaty are attained, especially in the field of qualitative improvements to nuclear weapons and their delivery systems. The Conference calls for further disarmament negotiations in which all nuclear-weapon States take part. These States should also establish a specific time-schedule for the implementation of their disarmament measures.]

36 ter. [The Conference observes that in many areas there had been much progress at unilateral and bilateral levels in nuclear disarmament. Regretfully, at the multilateral level much work remains to be done, especially in the field of qualitative improvements to nuclear weapons and their delivery systems.]

37. In that light the Conference takes note of the statement in the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom and the United States stated: "We solemnly reaffirm our commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains our ultimate goal". It also takes note of the commitment by China to work towards a convention on the complete prohibition and thorough destruction of nuclear weapons. [However, the Conference expresses the

view that concrete commitments on future such negotiations would strengthen confidence in the political determination of nuclear-weapon States to achieve further substantial results in due time.]*

38. The Conference reaffirms the commitment of all parties to the implementation of article VI, the full and effective implementation of which will lead to [the complete prohibition and thorough destruction of nuclear weapons] [general and complete disarmament].

39. [The Conference calls for the intensification of negotiations towards qualitative limitations, further quantitative reductions and elimination of all types of nuclear weapons and the means of their delivery, with the participation of all nuclear-weapon States. The Conference agrees that the achievement of the following measures at an early date is essential to the strengthening as well as the full realization and effective implementation of article VI and the eighth to twelfth preambular paragraphs of the Treaty. In this connection, the Conference urges the implementation of the following programme of action:

(a) Immediate cessation of the nuclear-arms race leading to nuclear disarmament and the attainment of general and complete disarmament under strict and effective international control;

(b) Immediate conclusion and implementation of a universal, internationally and effectively verifiable test-ban treaty by September 1996;

(c) A legally binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons with immediate effect;

(d) A non-discriminatory and universally applicable treaty banning the production and stockpiling of [weapons-usable] fissile material for nuclear weapons and other explosive devices by the year 2000;

(e) A programme of action for significant reduction of nuclear weapons leading to the total elimination of such weapons and their delivery vehicles within a time-bound framework by the year 2005;

(f) A legally binding instrument on effective, unconditional and comprehensive security assurances, both positive and negative, to non-nuclear-weapon States by December 1996;

(g) To facilitate the establishment of nuclear-weapon-free zones and full adherence by nuclear-weapon States to the instruments relating to such zones.]

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* Placement to be decided later.

40. [In fulfilment of the obligation of States parties under article VI to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control, [the Conference agrees to convene within a year a conference for the elaboration of a convention prohibiting the use, production and stockpiling of nuclear, thermonuclear and similar weapons of mass destruction and prescribing the steps for effective verification thereof, as well as providing for systematic, transparent and verifiable measures to achieve nuclear disarmament].]

41. [The Conference concludes that the substantial progress made towards nuclear disarmament could only have taken place in a framework of stability and predictability. By preventing widespread proliferation the Treaty has contributed substantially to that framework. The Conference recalls that in order to build further on the momentum created by recent disarmament successes, by the measures in prospect or in progress, it must ensure that the essential framework provided by the Treaty is made permanent.]

42.* The Conference urges all States not parties to the Treaty to accede to it at an early date, thereby, through its universality, enhancing its contribution to subregional, regional and global security.

III. REVIEW OF SECURITY ASSURANCES AND ARTICLE VII

1. The Conference reiterates its conviction that, in the interest of promoting the objectives of the Treaty, including the strengthening of the security of non-nuclear-weapon States parties to the Treaty, all States, both nuclear-weapon and non-nuclear-weapon States, should refrain, in accordance with the Charter of the United Nations, from the threat or use of force in relations between States.

2. [It reiterates that the most effective guarantee against the use and threat of use of nuclear weapons and the danger of nuclear war is nuclear disarmament and the complete elimination of nuclear weapons.] Pending the achievement of this goal on a universal basis and recognizing the need for all States to ensure their independence, territorial integrity and sovereignty, the Conference reaffirms the vital importance of assuring and strengthening the security of non-nuclear-weapon States parties to the Treaty which have renounced the acquisition of nuclear weapons.

3. The Conference underlines again the importance of adherence to and compliance with the Treaty by non-nuclear-weapon States as one of the effective means of strengthening their mutual security and the best means of reassuring one another of their renunciation of nuclear weapons.

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* Placement to be decided later.

4. The Conference recognizes that non-nuclear-weapon States parties to the Treaty which have renounced nuclear weapons and which are in full compliance with their obligations have a legitimate [right] [interest] to receive credible, comprehensive and effective security assurances [in the form of an unconditional, universal and legally binding instrument.]

5. [The Conference takes note [with appreciation] of the statements made by each of the nuclear-weapon States on 5 and 6 April 1995, in which they gave security assurances against the use of nuclear weapons to non-nuclear-weapon States that are Parties to the Treaty. It further [welcomes] [takes note of] [acknowledges the importance of] Security Council resolution 984 (1995) of 11 April 1995, adopted by consensus, in which the Council for the first time noted the security assurances given by the nuclear-weapon States against the use of nuclear weapons to non-nuclear-weapon States parties to the Treaty, and in which it also elaborated measures which would be taken to provide assistance to non-nuclear-weapon States parties to the Treaty that were victims of an act of, or object of threat of, aggression in which nuclear weapons were used. It endorses the view of the Security Council that this constitutes a step in the direction of further appropriate measures to safeguard the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons. [In so doing, it notes that the provision of positive security assurances cannot be construed as endorsing the use of nuclear weapons.]]

6. The Conference stresses the importance of, and encourages the search for, further measures to [register significant progress on] [complement] [strengthen] Security Council resolution 984 (1995), and recognizes [that it is] the view of [an overwhelming majority of] [many] States parties that early conclusion of a multilateral legally binding instrument on unconditional security assurances would effectively ensure the security of non-nuclear-weapon States parties to the Treaty [until such time as nuclear weapons are eliminated].

7. In this context, the Conference notes the following proposals made by States parties:

(a) The proposal, made originally by 11 non-nuclear-weapon States parties to the Treaty [1] at the Conference on Disarmament on 6 September 1994, for the conclusion of a protocol on security assurances to be attached to the Treaty, and the draft of such a protocol, as contained in document NPT/CONF.1995/MC.I/WP.6;

(b) The proposal by China for the early conclusion of an international convention on non-first use of nuclear weapons as well as an international legal instrument on assuring the non-nuclear States and nuclear-weapon-free zones against the use or threat of use of nuclear weapons at any time or under any circumstances, as contained in document NPT/CONF.1995/MC.I/WP.2;

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[1] Egypt, Ethiopia, Indonesia, Iran (Islamic Republic of), Kenya, Mexico, Mongolia, Myanmar, Peru, Sri Lanka and Venezuela.

(c) The proposal by Egypt for the provision of more elaborate security assurances to non-nuclear-weapon States parties to nuclear-weapon-free zone arrangements, as contained in document NPT/CONF.1995/MC.I/WP.11;

(d) The proposal by Egypt for a collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995), as contained in document NPT/CONF.1995/MC.I/WP.7;

(e) The proposal by Mexico for the conclusion by the nuclear-weapon States of a protocol on negative security assurances to be annexed to the Treaty, and the draft of such a protocol, as contained in document NPT/CONF.1995/MC.I/WP.1, and in the meantime for States parties to promote further consideration of security assurances in both the Security Council and the General Assembly;

(f) The proposal by Nigeria for States parties to the Treaty to conclude an agreement on negative security assurances which would become a protocol to the Treaty, and the draft of such an agreement, as contained in document NPT/CONF.1995/MC.I/WP.8;

(g) The proposal by Sweden that a multilateral treaty on negative security assurances be negotiated on the basis of the unilateral declarations by the five nuclear-weapon States, which could be further developed into declarations of non-first use of nuclear weapons.

8. [The Conference urges the States parties to the Treaty to [consider] [pursue] ways and means of discussing [and negotiating] these proposals [, including through the holding of a special conference within a year of the review and extension conference].]

9. [The Conference believes that additional appropriate measures, including those specified in Security Council resolution 984 (1995) are needed to provide protection for non-nuclear-weapon States parties to the Treaty from nuclear threats that emanate from States not parties to the Treaty, which possess [ambiguous nuclear programmes and] significant unsafeguarded nuclear facilities and might have acquired nuclear weapons or nuclear-weapons capability [based on the findings of relevant international organizations].]

10. The Conference notes that consultations and negotiations on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons have been under way in the Conference on Disarmament for over a decade and have not brought about [results, including] [results, particularly] an international legally binding instrument. The Conference urges the Conference on Disarmament to continue its efforts devoted to achieving a common approach [towards] [bearing in mind] this goal.

11. [The Conference further notes the importance of relevant resolutions of the General Assembly calling for conclusion of effective international arrangements to ensure non-nuclear-weapon States against the use or threat

of use of nuclear weapons, in particular General Assembly resolution 49/73.]

12. The Conference holds the view that one of the effective means to assure non-nuclear-weapon States in a legally binding form against the use or threat of use of nuclear weapons is through the establishment of nuclear-weapon-free zones. 2/

2/ The Working Group agreed to refer other material relating to nuclear-weapon-free zones contributed by delegations, as contained in the annex to the present section, to the Working Group jointly established by Main Committee I and Main Committee II to consider nuclear-weapon-free zones in all their aspects.

ANNEX

Attachment to section III*

8. [The Conference holds the view that one of the effective means to assure non-nuclear-weapon States in a legally binding form against the use or threat of use of nuclear weapons is through the establishment of nuclear-weapon-free zones [, especially in the Middle East]. In this context, the Conference commends those nuclear-weapon States which have adhered to and have complied with the obligations of the treaties of existing nuclear-weapon-free zones in Latin America and the Caribbean (the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Tlatelolco Treaty)) and in the South Pacific (the South Pacific Nuclear-Free-Zone (Treaty of Rarotonga))]. [The Conference calls upon the nuclear-weapon States to respect the status of nuclear-weapon-free zones and to undertake corresponding obligations.] [Further, the Conference calls upon nuclear-weapon States to assume similar obligations with respect to other regions with respect to non-nuclear-weapon States parties to the Treaty.]

8.1 [The Conference considers that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among States of the region concerned constitutes an important disarmament measure and therefore the process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account.]

8.2 The Conference expresses its belief that concrete measures of nuclear disarmament would significantly contribute to creating favourable conditions for the establishment of nuclear-weapon-free zones.

8.3 The Conference welcomes the consensus reached by the General Assembly at its thirty-fifth session (resolution 35/147 of 12 December 1980) that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security, and urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East.

8.4 [The Conference also invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to the letter and spirit of General Assembly resolution 49/71 of 15 December 1994.]

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* Excerpt from an unofficial working paper considered by the Working Group.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.1
25 April 1995
ENGLISH
ORIGINAL: SPANISH

New York, 17 April-12 May 1995

LETTER DATED 25 APRIL 1995 FROM THE HEAD OF THE DELEGATION OF MEXICO ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have pleasure in transmitting to you herewith a draft protocol to the Treaty on the Non-Proliferation of Nuclear Weapons, submitted by the delegation of Mexico.

I should be grateful if you could have the said text circulated as a document of Main Committee I and of the Working Group on Security Assurances of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Sergio GONZÁLEZ GÁLVEZ
Under Secretary for Multilateral Affairs
Head of Delegation

/...

Annex

[Original: English]

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Draft protocol

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear-arms race and to undertake effective measures in the direction of nuclear disarmament,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

The undersigned Plenipotentiaries of the nuclear-weapon States,

Have agreed as follows:

Article 1

Obligations assumed by non-nuclear-weapon States as defined in the Treaty on the Non-Proliferation of Nuclear Weapons, of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

Article 2

The Governments represented by the undersigned Plenipotentiaries undertake not to use or threaten to use nuclear weapons against the non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Article 3

The duration of this Protocol shall be the same as that of the Treaty on the Non-Proliferation of Nuclear Weapons, of which this Protocol is an annex.

Article 4

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instrument of ratification.

In WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Protocol on behalf of their respective Governments in New York on ___ April 1995.

For the Government of the People's Republic of China

For the Government of the French Republic

For the Government of the Russian Federation

For the Government of the United Kingdom of Great Britain and Northern Ireland

For the Government of the United States of America

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.2
26 April 1995
ENGLISH
ORIGINAL: CHINESE

New York, 17 April-12 May 1995

MAIN COMMITTEE I

Proposed elements on nuclear disarmament for the final document

Working paper submitted by China

1. The Conference welcomes the progress made by the Conference on Disarmament in the negotiations on a comprehensive test-ban treaty. It calls upon the Conference on Disarmament to intensify its negotiations with a view to concluding the treaty as early as possible and no later than 1996.

2. The Conference welcomes the fact that negotiations on a convention banning the production of fissionable materials for nuclear weapons will soon commence in the Conference on Disarmament, and expresses the hope that the parties concerned will negotiate in good faith with the aim of concluding a multilateral, non-discriminatory and effectively verifiable cut-off convention.

3. The Conference welcomes Security Council resolution 984 (1995) and the national statements on security assurances by the five nuclear-weapon States, and calls for the early conclusion of an international legal instrument on unconditional assurances to the non-nuclear-weapon States and nuclear-weapon-free zones against the use or threat of use of nuclear weapons.

4. The Conference calls upon the nuclear-weapon States to respect the status of nuclear-weapon-free zones and to undertake obligations to that effect.

5. The Conference urges the nuclear-weapon States to negotiate and conclude at an early date a treaty on non-first-use of nuclear weapons.

6. The Conference reaffirms that the complete prohibition and thorough destruction of nuclear weapons is the ultimate goal of nuclear disarmament and calls for the early negotiation and conclusion of a treaty on the complete prohibition of nuclear weapons similar to the conventions banning chemical and biological weapons, under which the nuclear-weapon States would commit themselves to the complete prohibition and thorough destruction of their nuclear weapons under effective international supervision.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.3
26 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REVIEW OF ARTICLES I AND II AND FIRST TO THIRD PREAMBULAR PARAGRAPHS

Working paper submitted by Iraq

Excerpt from a communication dated 5 April 1995 from the Director General of the International Atomic Energy Agency to the Secretary-General of the United Nations

SUMMARY AND CONCLUSIONS*

47. As indicated in the previous six-month report, IAEA is confident that the essential components of Iraq's clandestine nuclear programme have been identified and have been destroyed, removed or rendered harmless and that the scope of the past programme is well understood. This assessment is based not only on the verification of Iraqi statements, which may be presumed to be biased and incomplete, but also on information gathered during inspections, on information provided by suppliers and Member States and, to a great extent, on an analysis of the large cache of original Iraqi documentation which was seized in Iraq by the teams of the sixth and seventh IAEA inspection missions. Despite the absence in this cache of original Iraqi documentation regarding its gas centrifuge programme and the suspected withholding by Iraq of some documents from the cache, the areas of residual uncertainty, regarding Iraq's former nuclear weapons programme, have been progressively reduced to a level of detail, the full knowledge of which is not likely to affect the overall picture.

48. The IAEA's extensive knowledge of the scope of Iraq's past nuclear weapons programme has facilitated the design and implementation of a credible and sustainable plan for the ongoing monitoring and verification of Iraq's compliance with its obligations under the relevant Security Council resolutions.

49. The Plan has been operational since the end of August 1994, when the continuous presence of IAEA inspectors in Iraq - the Nuclear Monitoring Group - was established. The refurbishing and modification of the Canal Hotel in Baghdad to accommodate the Baghdad Monitoring and Verification Centre is practically complete and the Centre provides adequate facilities for the implementation of the Plan.

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* Previously issued under the symbol S/1995/287.

50. During the period under review the Nuclear Monitoring Group has conducted more than 160 inspections at some 70 facilities, including 23 facilities not previously inspected.

51. A number of requests for the release, relocation and change of use of equipment material and facilities, to be used in non-nuclear activities, have been approved, with the concurrence of the Special Commission and in compliance with the provisions of paragraph 3 (iii) of Security Council resolution 707 (1991).

52. Progress has been made in developing the export/import monitoring mechanism called for in paragraph 7 of resolution 715 (1991) to monitor any future sale or supply to Iraq of items relevant to the implementation of Section C of resolution 687 (1991), to the temporary restriction on nuclear activities in Iraq pursuant to paragraph 3 (iv) of resolution 707 (1991) and to the Plan approved in resolution 715 (1991).

53. At the suggestion of the Sanctions Committee and in accordance with the procedures for amending the Annexes provided for in the Plan, IAEA has revised Annex 3 thereof with the assistance of international experts on export control. The revised version reflects the need to provide customs and export control authorities with a more detailed description of items subject to notification.

54. The Plan provides a sound basis for the ongoing monitoring and verification of Iraq's compliance with the requirements of the relevant Security Council resolutions in the area of nuclear weapons and will continue to be developed as technical needs arise and as advanced technologies become available.

55. The implementation of the Plan does not foreclose the exercise by IAEA of its right to investigate any aspect of Iraq's former nuclear weapons programme. Indeed, vigorous exercise of the right - provided in the Plan - to immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation represents an important confidence-building measure.

56. Recent information made available through the media suggesting the existence of a secret project which, prima facie, could be related to a nuclear weapons programme, requires further investigation to verify its authenticity.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.4/Corr.1
1 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

SECURITY ASSURANCES TO NON-NUCLEAR-WEAPON STATES

Working paper submitted by Egypt

Corrigendum

Paragraph 5

Subparagraph (a) should read

(a) Effective deterrence against the use or threat of use of nuclear weapons through an explicit and unequivocal statement to the effect that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State party to the Treaty constitutes a threat to international peace and security in accordance with Article 39 of the Charter of the United Nations and shall automatically trigger an immediate response by the Security Council in a manner consistent with the letter and spirit of Chapter VII of the Charter;

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/[illegible].I/WP.4
28 April 1995

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New York, 17 April-12 May 1995

SECURITY ASSURANCES TO NON-NUCLEAR-WEAPON STATES

Working paper submitted by Egypt

1. The Conference believes that the most effective guarantee against the use or threat of use of nuclear weapons is nuclear disarmament under effective international control. Pending the attainment of that goal, non-nuclear-weapon States parties to the Treaty have a legitimate right to effective comprehensive and unconditional security assurances in a legally binding form.

2. In this respect, it is regrettable that the negotiations on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, which have been under way in the Conference on Disarmament for over a decade, have not yet succeeded.

3. Hence, the Conference calls upon all States, particularly the nuclear-weapon States, to work towards an early agreement on a common formula that could be included in an international instrument of a legally binding character to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

4. Until such an instrument is attained, a credible and effective collective commitment is required to assure non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons. These assurances should be of an unconditional nature, without qualification, unlimited in scope, duration and application and not subject to divergent or conflicting interpretations.

5. The collective commitment must provide for:

(a) Effective deterrence against the use or threat of use of nuclear weapons through an explicit and unequivocal statement to the effect that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State party to the Treaty constitutes a threat to international peace and security and shall automatically trigger an immediate response by the Security Council in conformity with Article 39 of the Charter of the United Nations and in a manner consistent with the letter and spirit of Chapter VII;

(b) Genuine protection against any attack or threat of attack by nuclear weapons against a non-nuclear-weapon State party to the Treaty, in the form of a mechanism for the enforcement of the security assurances that indicates the mandatory action to be adopted by the Security Council to redress a situation where a non-nuclear-weapon State is the victim of a nuclear attack or threat of attack, and safeguards the territorial integrity and political independence of the victim;

(c) Comprehensive assistance to victims of an attack by nuclear weapons, which would encompass technical assistance, mandatory reparation and compensation, as well as political remedial assistance.

6. Security Council resolution 984 (1995), adopted on 11 April 1995, and the unilateral declarations by the five permanent members of the Security Council constitute a step by the nuclear-weapon States to remedy the shortcomings of resolution 255 (1968) and to provide the non-nuclear-weapon States parties to the Treaty with the required and long overdue credible security assurances to which they are entitled as a result of their renunciation of the nuclear option.

7. The endorsement of resolution 984 (1995) by all the permanent members of the Security Council, its enunciation of the technical assistance to be provided to victims of a nuclear attack and its recognition of the right of any such victim to compensation from the aggressor represent welcome progress towards a credible collective commitment on security assurances to non-nuclear-weapon States.

8. However, resolution 984 (1995) and the unilateral declarations issued by the permanent members of the Security Council, with the exception of the declaration issued by the People's Republic of China, continue to fall short of the general expectations of non-nuclear-weapon States and leave much to be desired to bestow credibility on the assurances they offer.

9. Hence, the Conference is urged to consider:

(a) Calling upon the Security Council to continue its consideration of the issue of security assurances and to address the following essential principles in addition to the provisions of resolution 984 (1995):

- (i) A clear determination that the use or threat of the use of nuclear weapons constitutes a threat to international peace and security;
- (ii) A trigger mechanism that would ensure Security Council response to any threat of or attack by nuclear weapons;
- (iii) A commitment by the Security Council to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace;

(b) The provision of more elaborate security assurances for those non-nuclear-weapon States parties to the Treaty that are also parties to nuclear-weapon-free zones in their respective regions;

(c) A renunciation by the five permanent members of the Security Council of the unanimity rule contained in Article 27, paragraph 3, of the Charter pertaining to the concurring votes of the five permanent members with regard to the application of security assurances to non-nuclear-weapon States;

(d) A commitment by all States parties to the Treaty not to use or threaten to use nuclear weapons against any State party to the Treaty that does not possess or place nuclear weapons on its territories;

(e) Assurances of the security of non-nuclear-weapon States parties to the Treaty against the dangers posed to their security by the ambiguous and undeclared nuclear policies of certain nuclear threshold States not parties to the Treaty.

10. The Conference reaffirms its conviction that the establishment of nuclear-weapon-free zones is an important disarmament measure which greatly strengthens the international non-proliferation regime and recognizes the necessity of providing substantial security assurances to States members of such zones.

11. The Conference further recognizes that the cooperation of the nuclear-weapon States is necessary to ensure the maximum effectiveness of any treaty arrangements which aim at establishing nuclear-weapon-free zones and calls upon them to assist regional efforts in this regard.

12. The Conference considers that accession to the non-proliferation Treaty and acceptance of IAEA safeguards by all States in the Middle East would greatly facilitate the establishment of a nuclear-weapon-free zone in the region and enhance the credibility of the Treaty.

13. The Conference urges all parties concerned to begin seriously taking the practical steps required for the establishment of such a zone in the region.

14. The Conference recalls Egypt's proposal to establish a zone free from weapons of mass destruction in the Middle East and recognizes that the establishment of such a zone would constitute an important contribution towards the removal of threats to regional and international peace and security as enunciated in the statement of the Security Council, meeting at the level of heads of State and Government on 31 January 1992.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.5
2 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE VI AND EIGHTH TO TWELFTH PREAMBULAR PARAGRAPHS

Working paper submitted by the members of the Movement of Non-Aligned Countries parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Conference reviews the implementation of each aspect of article VI, and of the eighth to twelfth preambular paragraphs and stresses the need to intensify the effort to achieve, at the earliest possible date, the cessation of the nuclear arms race and to take effective measures in the direction of nuclear disarmament; it urges the cooperation of all States in the attainment of this objective.

2. The Conference notes with regret that the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled since the Treaty came into force. In this regard, the Conference stresses the need for the cessation of the nuclear arms race at the earliest possible date and to take effective measures in the direction of nuclear disarmament. The Conference urges the cooperation of all States in the attainment of this objective.

3. The Conference recalls that under the provisions of article VI each of the parties undertakes to pursue negotiations in good faith:

(a) On effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament;

(b) On a treaty on general and complete disarmament under strict and effective international control.

4. The Conference further recalls the determination expressed by the parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (the partial test-ban treaty) in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end.

5. The Conference expresses the desire to further the easing of international tension and the strengthening of trust between States and to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control.

6. In this context, the Conference calls upon States parties to refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.

Cessation of the nuclear arms race

7. The Conference notes that a number of significant changes have occurred since the 1990 Review Conference and that a process of gradual transformation of military structures is now under way. The Conference expresses the hope that these developments will lead to an effective halt of the nuclear arms race between the two major nuclear Powers in quantitative terms and that this trend will encourage further efforts in nuclear disarmament negotiations towards the achievement of the objectives of article VI.

8. The Conference expresses the view that the conclusion of a treaty banning all nuclear-weapon tests is one of the most important measures to halt the nuclear arms race. The Conference reaffirms the determination expressed in the preamble of the 1963 partial test-ban treaty, and reiterated in the tenth preambular paragraph of the non-proliferation Treaty, to achieve the discontinuance of all test explosions of nuclear weapons for all time.

9. The Conference recalls the annual appeals made in United Nations General Assembly resolutions since 1981 calling for a moratorium on nuclear-weapon tests pending the conclusion of a comprehensive test-ban treaty. In this respect, the Conference notes the moratorium assumed by the four nuclear-weapon States and urges all the nuclear-weapon States to observe it.

10. The Conference also stresses the important contribution that a treaty banning all nuclear-weapon tests would make towards strengthening and extending the international barriers against the proliferation of nuclear weapons, and that it would contribute greatly to the elimination of the grave threat to the environment and human health represented by continued nuclear testing. The Conference further stresses that adherence to such a treaty by all States would contribute substantially to the full achievement of the non-proliferation objective.

11. The Conference notes with satisfaction that the Conference on Disarmament has reactivated its Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate intensively a comprehensive test-ban treaty which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time. The Conference emphasizes the critical importance of the Ad Hoc Committee on a Nuclear Test Ban completing its work by the end of the year 1995.

12. The Conference further calls for the establishment of a non-discriminatory and universally applicable convention banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices. The Conference expresses the belief that such a convention would make an important contribution towards nuclear disarmament.

Nuclear disarmament

13. The Conference examines the existing situation in the light of the undertaking assumed by the parties in article VI to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament. The Conference is pleased to note that during the last few years there have been encouraging developments, namely, that the United States of America and the Russian Federation have concluded the Treaty between the United States and the USSR on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty), which eliminated an entire class of nuclear weapons, and the Treaties on the Reduction and Limitation of Strategic Offensive Arms (START I and START II Treaties), which will further reduce a significant number of the nuclear warheads and their delivery vehicles which they have excessively accumulated during the cold war period.

14. The fact remains that the number of nuclear weapons currently existing is more than the number of nuclear weapons at the time when NPT came into force. Accordingly, the Conference considers that it is timely for the States parties to negotiate a treaty which will ban nuclear weapons forever.

15. The Conference regrets the continuing lack of progress on relevant items of the agenda of the Conference on Disarmament, in particular those relating to the cessation of the nuclear arms race and nuclear disarmament, the prevention of nuclear war including all related matters, the convention on the production and stockpiling of weapon-grade fissile materials, the cessation of the production of nuclear weapons, the cessation of the production of their delivery vehicles, the prevention of an arms race in outer space and the establishment of an effective internationally negotiated legally binding instrument on security assurances.

16. The Conference calls for the intensification of negotiations towards further reduction and elimination of all types of nuclear weapons and the means of their delivery, with the earliest participation of all nuclear-weapon States. The Conference believes that all the nuclear-weapon States should commit themselves to a definite, time-bound programme of action for the continued reduction of nuclear weapons, leading to their total elimination. The Conference calls on the Conference on Disarmament to begin deliberating on the programme of action as soon as possible. The Conference firmly believes that such a programme of action will effectively contribute to the early realization of the objectives of article VI and the eighth to twelfth preambular paragraphs of the Treaty.

General and complete disarmament

17. In reviewing progress towards a treaty on general and complete disarmament under strict and effective international control, the Conference takes note of a number of developments in the areas of chemical weapons, conventional force reductions and confidence and security-building measures. The Conference however regrets the lack of progress towards the realization of the treaty itself. The Conference, therefore, calls for an intensified effort to bring about greater confidence and the reduction of armaments in all areas in pursuit

of the objectives set out in the twelfth preambular paragraph and in article VI of the Treaty.

Conclusion

18. With respect to article VI and the eighth to twelfth preambular paragraphs, the Conference observes that much remains to be done before the objectives and aspirations of the Treaty are attained. The Conference notes that in some areas there has been progress in the past five years but in other significant areas there has been no progress. The Conference reaffirms the commitment of all parties to the implementation of article VI and calls upon the parties to achieve fully the objectives of the article. The Conference agrees that the achievement of the following measures at an early date is essential to the strengthening as well as the full realization and effective implementation of article VI and the eighth to twelfth preambular paragraphs of the Treaty:

(a) Immediate cessation of the nuclear arms race leading to nuclear disarmament and the attainment of general and complete disarmament under strict and effective international control;

(b) Immediate conclusion and implementation of a universal, internationally and effectively verifiable comprehensive test-ban treaty;

(c) A legally-binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons;

(d) A non-discriminatory and universally applicable treaty banning the production and stockpiling of fissile material for nuclear weapons and other explosive devices;

(e) A programme of action for significant reduction of nuclear weapons leading to the total elimination of such weapons and their delivery vehicles within a time-bound framework;

(f) A legally binding instrument on effective, unconditional and comprehensive security assurances, both positive and negative, to non-nuclear-weapon States;

(g) Facilitating the establishment of nuclear-weapon-free zones and full adherence by nuclear-weapon States to the instruments relating to such zones.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.6
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

WORKING GROUP ON SECURITY ASSURANCES AND ARTICLE VII

Attached is the statement on behalf of the delegations of Egypt, Ethiopia, Indonesia, Iran (Islamic Republic of), Kenya, Mexico, Mongolia, Morocco, Myanmar, Peru, Sri Lanka and Venezuela delivered at the 691st plenary meeting of the Conference on Disarmament, on 6 September 1994, which is being circulated at the request of the delegation of Myanmar.

STATEMENT ON BEHALF OF THE DELEGATIONS OF EGYPT, ETHIOPIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), KENYA, MEXICO, MONGOLIA, MOROCCO, MYANMAR, PERU, SRI LANKA AND VENEZUELA DELIVERED AT THE 691ST PLENARY MEETING OF THE CONFERENCE ON DISARMAMENT HELD ON 6 SEPTEMBER 1994*

Paragraph 20 of the Final Document of the first special session of the General Assembly devoted to disarmament underscores the importance of effective measures of nuclear disarmament and prevention of nuclear war as deserving the highest priority among measures of arms limitation and disarmament. The document, in paragraph 32, reaffirmed also the need for effective arrangements, as appropriate, to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, which could strengthen the security of those States and international peace and security.

Following the demise of the cold war, dramatic positive changes have taken place in the international political climate. As a consequence, the world has witnessed the arrangement of a number of significant arms limitation and disarmament agreements. The precedent of the conclusion of the Chemical Weapons Convention, the beginning of a process of nuclear disarmament by the United States and the Russian Federation, and the measures taken by other former Soviet republics in the framework of complete nuclear disarmament demonstrate clearly that nuclear disarmament is not only within the frame of practical implementation but can also be achieved in the foreseeable future if only the political will exists. Apparently, less reliance is now being placed by nuclear-weapon States on the role of nuclear weapons. The process of the de-emphasizing of this role and reducing the dependence upon them should be continued and carried forward as a significant step towards the complete elimination of nuclear weapons.

The Non-Aligned Conference recently held in Cairo reiterated the belief that, in order to be effective and lasting, the approach towards international security should be non-discriminatory and balanced and should seek security for all through total nuclear disarmament, elimination of all weapons of mass destruction and progressive measures of reduction of conventional arms. The Conference restated that security assurances to non-nuclear-weapon States can contribute positively to addressing some of the dangers inherent in the presence of nuclear weapons and urged the Conference on Disarmament to negotiate, as a matter of priority, an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances and to undertake negotiations for the complete elimination of all nuclear weapons within a time-bound framework.

Accordingly, the members of the Group of 21 already parties to the Treaty attach utmost importance to both questions of negative and positive security assurances. It is their conviction that the only completely effective security assurances against the sue of threat of use of nuclear weapons lie in the prohibition of the use of nuclear weapons, nuclear disarmament and complete elimination of these weapons. Existence of nuclear weapons constitutes in itself a threat to international security and a factor which encourages proliferation. For this reason, and pending the achievement of the complete elimination of nuclear weapons, it is imperative for the international community to develop effective measures and arrangements to assure non-nuclear-weapon States against these weapons, and to elaborate measures and arrangements which can contribute positively towards achieving the most effective regime of non-proliferation of nuclear weapons in all its aspects.

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* Previously circulated under the symbol CD/1277.

In this respect, the delegations of the Group of 21, States parties to the Treaty, wish to present to the Conference a draft protocol on security assurances which would be attached to the non-proliferation Treaty as its integral part. They are confident that the protocol drafted on the basis of a simple common formula (i.e., the nuclear-weapon States pledge themselves never to use or threaten to use nuclear weapons against non-nuclear-weapon States) would be given early and serious consideration by the members of the Conference on Disarmament. The text of the protocol is annexed below.

Annex

DRAFT PROTOCOL ON SECURITY ASSURANCES

Preamble

The States Parties to the Non-Proliferation Treaty,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Regarding that the only credible guarantee against the use or threat of use of nuclear weapons lies in the total elimination of such weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to devise effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Bearing in mind the resolutions of the United Nations General Assembly and the Security Council on the question of strengthening the security of non-nuclear-weapon States,

Taking into consideration the unilateral solemn declarations made by nuclear-weapon States on some guarantees given to non-nuclear-weapon States.

Recalling their obligations to refrain, in their mutual relations, from the threat or use of force against the territorial integrity or political independence of any State, or in anv other manner inconsistent with the purposes of the Charter of the United Nations,

Have agreed as follows:

I. Definitions

1. The term "nuclear-weapon State" referred to in this Protocol refers to the definition given by the Non-Proliferation Treaty.

2. The term "non-nuclear-weapon State" referred to in this Protocol refers to all States other than those which fall under the above definition of a nuclear-weapon State.

II. Basic obligations

1. In accordance with Article 2, paragraph 4, of the Charter of the United Nations, each State undertakes to refrain in its international relations from the threat or use of force against another State, its territorial integrity and its political independence.

2. The nuclear-weapon States pledge themselves not to use or threaten to use nuclear weapons against non-nuclear-weapon States.

III. Measures in case of non-compliance

1. Any State which has reason to believe that there has been or is likely to be a breach of the obligations of the States Parties arising from article II of this Protocol may request an urgent meeting of a Conference of the States Parties to the Non-Proliferation Treaty, and/or the Security Council, under Chapter VII of the Charter of the United Nations, with a view to preventing such a breach or redressing the situation arising therefrom.

2. In the case of a nuclear aggression or a threat of aggression against a non-nuclear-weapon State, the Conference of the States Parties and the Security Council should provide to it the necessary help and assistance.

IV. Duration

This Protocol constitutes an integral part of the Non-Proliferation Treaty and shall remain in force as long as the Treaty remains valid or as long as complete elimination of nuclear weapons has not been achieved.

V. Entry into force

This Protocol shall enter into force under the same conditions as the Non-Proliferation Treaty.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.7
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

WORKING GROUP ON SECURITY ASSURANCES AND ARTICLE VII

The following proposal is submitted by the delegation of Egypt, and is being circulated at the request of that delegation.

Collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995)

5 bis. The Conference recognizes, pending the conclusion of a multilateral legally binding instrument on comprehensive security assurances to non-nuclear-weapon States parties to the Treaty, the necessity of a collective commitment from the nuclear-weapon States which recognizes that any attack or threat of attack by nuclear weapons against a non-nuclear-weapon State party to the Treaty constitutes a threat to international peace and security in accordance with Article 39 of the Charter of the United Nations and necessitates an immediate response on the part of the Security Council consistent with the letter and spirit of the relevant articles of Chapter VII of the Charter. Such a commitment would greatly remedy the fundamental shortcomings in Security Council resolution 984 (1995).

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.8
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

WORKING GROUP ON SECURITY ASSURANCES AND ARTICLE VII

Proposal of Nigeria

The call by non-nuclear-weapon States parties to the Treaty for an assurance, in a legally binding form, that they will not be the victim of attack or threat of attack with nuclear weapons by nuclear-weapon States is as old as the Treaty itself. This is considered to be a legitimate demand by the non-nuclear-weapon States parties, which had foresworn the possession of nuclear weapons through their membership of the Treaty. At previous review conferences this issue had been raised. The call for the provision of negative security assurances has become even louder and more urgent as the Treaty becomes due for extension at this Conference.

In 1989, Nigeria had submitted the draft of a proposed agreement on negative security assurances to the Depository States of the Treaty. The Nigerian proposal had requested that a conference be convened to negotiate the proposed agreement, which would be a protocol attached to the Treaty. The proposal was considered during the fourth review process, where it was decided that the proposal should be considered at an appropriate time.

Nigeria believes that now is the appropriate time for this proposal to be given serious consideration. The proposal, which was contained in document NPT/CONF.IV/17 (1990), is therefore being presented again at the 1995 Review and Extension Conference of the Parties to the Treaty, As one of the proposals on the table for a legally binding agreement on negative security assurances, it is recommended that a conference to negotiate such an agreement be held as soon as possible, but not later than a year after this review and extension conference.

The Nigerian proposal is as follows:

Proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The States Parties to this Agreement,

Being also Parties to the Treaty on the Non-Proliferation of Nuclear Weapons opened for signature at London, Moscow and Washington on 1 July 1968 (hereinafter called "the Treaty"), have hereby accepted the following provisions:

Article I

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which does not belong to a military alliance and does not have other security arrangements providing for mutual defence with a nuclear-weapon State.

Article II

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which belongs to a military alliance, or has other security arrangements providing for mutual defence, with a nuclear-weapon State but has no nuclear weapons stationed on its territory. The non-nuclear-weapon State Party to the Treaty referred to in this article undertakes not to partake in, or contribute to, any military attack on any nuclear-weapon State Party to this Agreement, or its allies, Parties to the Treaty, except in self-defence, in accordance with the Charter of the United Nations.

Article III

1. This Agreement shall be signed and shall be subject to ratification, or may be acceded to, as if the provisions of article IX of the Treaty applied hereto.

2. This Agreement shall enter into force in respect of each State on the date of deposit of the instrument of ratification or accession of the State concerned.

3. The duration of this Agreement shall be the same as that of the Treaty and the provision regarding denunciation contained in article X, paragraph 1, of the Treaty shall be applicable to it.

Article IV

This Agreement, the English, Russian, French and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Agreement shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness WHEREOF the undersigned plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Agreement, on behalf of their respective Governments.

Done in triplicate, at the cities of London, Moscow and Washington, the ...... day of .... one thousand nine hundred ....

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.9
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REVIEW OF ARTICLES I AND II AND FIRST TO THIRD PREAMBULAR PARAGRAPHS

Language proposed by the members of the Movement of Non-Aligned Countries parties to the Treaty

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference therefore welcomes the accession of more parties to the Treaty, especially the remaining nuclear-weapon States, since the last Review Conference, and urges all States not parties to the Treaty to accede to it without delay. The Conference remains convinced that full compliance of all parties and universal adherence to the Treaty are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

2. The Conference also reaffirms its determination to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by non-nuclear-weapon States parties to the Treaty.

3. The Conference reiterates and reaffirms the convictions expressed in the first to third preambular paragraphs. The Conference welcomes the positive developments in the international situation since the last Review Conference, especially in the East-West context and the relations between the Russian Federation and the United States of America. In this regard, the Conference takes note of the role of the INF and the START process which will result in the reduction in nuclear arsenals of the Russian Federation and the United States. The Conference urges China, France and the United Kingdom of Great Britain and Northern Ireland to join the process. The Conference remains convinced that proliferation of nuclear weapons both horizontally and vertically would seriously increase the danger of nuclear war.

4. The Conference agrees that the strict observance of the terms of articles I and II remains central to achieving the shared objectives of preventing under any circumstances further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security.

5. The Conference takes note of the declarations of nuclear-weapon States parties to the Treaty that they had fulfilled their obligations under article I. The Conference underlines the need for nuclear-weapon States to remain in compliance with the letter and the spirit of article I. The Conference further

reiterates that prohibition of transfer of nuclear weapons and nuclear explosive devices includes transfers between nuclear-weapon States.

6. The Conference further takes note of the declarations that non-nuclear-weapon States parties to the Treaty had fulfilled their obligations under article II. However, the Conference remains concerned about the ability of certain States not parties to the Treaty to obtain nuclear materials, technology and know-how to develop nuclear weapons. Such transfers seriously place doubt on those responsible for supplying such material and technology to those non-parties. The Conference underlines the vital need for all parties to the Treaty to comply scrupulously and unreservedly with their obligations.

7. The Conference affirms the determination to stop the spread of nuclear explosive capabilities, and hence the ability to develop and produce nuclear weapons in a non-discriminatory manner and without hampering legitimate peaceful nuclear activities and programmes of States parties to the Treaty.

8. The Conference expresses great and serious concerns about the nuclear-weapon capabilities of Israel. In this connection, the Conference calls for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to Israel. The Conference also calls upon Israel to accede to the Treaty and place all of its nuclear facilities under full-scope IAEA safeguards. In this respect, the Conference also calls on all other States not parties to the Treaty to accede to it and to subject whatever nuclear facilities they may have to the full-scope safeguards of IAEA.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.10
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

WORKING GROUP ON SECURITY ASSURANCES AND ARTICLE VII

Attached is a working document entitled "Textual option for the report of Main Committee I: review of security assurances and nuclear-weapon-free zones". The document is being circulated at the request of the delegation of Indonesia, on behalf of the members of the Movement of Non-Aligned Countries parties to the Treaty.

NPT/CONF.1995/MC.I/WP.10

TEXTUAL OPTION FOR THE REPORT OF MAIN COMMITTEE I: REVIEW OF SECURITY ASSURANCES AND NUCLEAR-WEAPON-FREE ZONES

Working document submitted by the Movement of Non-Aligned Countries

1. The Conference considers that the most effective guarantee against the possible use of nuclear weapons and the danger of nuclear war is nuclear disarmament and the complete elimination of nuclear weapons. Pending the achievement of this goal, the Conference recognizes that different approaches may be required to strengthen the security of non-nuclear-weapon States parties to the Treaty.

2. The Conference reiterates also its conviction that, in the interest of promoting the objectives of the Treaty, including the strengthening of the security of non-nuclear-weapon States, all States, both nuclear-weapon States and non-nuclear-weapon States, should refrain, in accordance with the Charter of the United Nations, from the threat or the use of force in relations between States, involving either nuclear or non-nuclear weapons.

3. The Conference underlines again the importance of adherence to the Treaty by non-nuclear-weapon States as the best means of reassuring one another of their renunciation of nuclear weapons and as one of the effective means of strengthening their mutual security.

4. Pending the elimination of all nuclear weapons, the Conference believes that the best security assurance is an effective, unconditional, comprehensive, internationally negotiated and legally binding instrument. In this connection, the Conference believes that Security Council resolution 984 (1995) should have included language committing the nuclear-weapon States to take action, in the event of a threat of use of nuclear weapons, to suppress that threat.

5. The Conference welcomes the declaration on negative security assurance issued by the five nuclear-weapon States prior to the adoption by the Security Council of resolution 984 (1995). However, the Conference believes that resolution 984 (1995) and the five declarations are only the first step towards providing non-nuclear-weapon States with the kind of assurances to which they are entitled, namely, an internationally negotiated, legally binding instrument where all the nuclear-weapon States are obligated to the same provisions and the same conditions.

6. The conclusion of an international instrument providing for such arrangements would strengthen the security of non-nuclear-weapon States parties, and offer an additional incentive to non-nuclear-weapon States not parties to the Treaty to adhere to the Treaty. The Conference notes that consultations and negotiations on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons have been under way in the Conference on Disarmament for over 15 years. The Conference agrees that a conference should be convened at an early date to work on a protocol to the Treaty on the Non-Proliferation of Nuclear Weapons, on the

prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties.

7. The Conference believes that appropriate measures may also be needed to provide protection for non-nuclear-weapon States parties to the Treaty from nuclear threats that emanate from the ambiguous policy of certain States not parties to the Treaty which possess significant unsafeguarded nuclear facilities and might have acquired nuclear-weapon capability.

8. The Conference also holds the view that one of the effective means to assure non-nuclear-weapon States in a legally binding form against the use or threat of use of nuclear weapons is through the establishment of nuclear-weapon-free zones which encompass the integrality of the countries in such zones.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/WP.11
12 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

WORKING GROUP ON SECURITY ASSURANCES AND ARTICLE VII

The following proposal is submitted by the delegation of Egypt, and is being circulated at the request of that delegation.

More elaborate security assurances for non-nuclear weapon States

The Conference recognizes that more elaborate security assurances should be provided to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons which are also parties to nuclear-weapon-free-zone arrangements in their respective regions.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/1
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF MAIN COMMITTEE II

Establishment and terms of reference

1. Under rule 34 of its rules of procedure as provisionally applied, the Conference established Main Committee II as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

(e) Other provisions of the Treaty.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

Officers of the Committee

2. The Conference unanimously elected Mr. André Erdős (Hungary) as the Chairman of the Committee and Mr. Enrique J. de la Torre (Argentina) and Mr. Rajal Sukayri (Jordan) as Vice-Chairmen of the Committee.

Documents before the Committee

3. The Committee had before it the following documents:

(a) Background documents

NPT/CONF.1995/5 and Corr.1	Implementation of article VII of the Treaty
NPT/CONF.1995/7/Part I	Activities of IAEA relevant to article III of the Treaty
NPT/CONF.1995/7/Part II	Other activities relevant to article III
NPT/CONF.1995/8	Activities of IAEA relevant to article IV of the Treaty
NPT/CONF.1995/10 and Add.1	Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the Conference
NPT/CONF.1995/11	South Pacific Nuclear-Free-Zone Treaty
NPT/CONF.1995/14	Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the Conference (previously issued as NPT/CONF.1995/PC.III/13)
NPT/CONF.1995/17	Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/18	Letter dated 17 April 1995 from the representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/19	Letter dated 17 April 1995 from the alternate head of the Indonesian delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/20	Letter dated 17 April 1995 from the representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General of the Conference

NPT/CONF.1995/21 and Corr.1	Multilateral nuclear supply principles: working paper submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee
NPT/CONF.1995/24	Letter dated 21 April 1995 from the head of the delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference
NPT/CONF.1995/25	Note verbale dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference
NPT/CONF.1995/26	Letter dated 25 April 1995 from the Permanent Representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference

(b) Documents submitted to and introduced in Main Committee II

NPT/CONF.1995/MC.II/WP.1	Article III - introduction: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.2	Article III - safeguards: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.3	Article III - state systems of accounting and control: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

NPT/CONF.1995/MC.II/WP.4	Article III - financing of safeguards: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.5	Article III - safeguards in nuclear-weapon States: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.6	Article III - IAEA inspectors: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.7	Article III - export licensing: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.8	Article III - physical protection: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.9	Article III - plutonium: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.II/WP.10	Prevention of nuclear-weapon proliferation, nuclear safeguards and nuclear-weapon-free zones: working paper submitted by China
NPT/CONF.1995/MC.II/WP.11	Article III - IAEA safeguards, including special inspections and preventing clandestine nuclear weapon programmes: working paper submitted by Romania
NPT/CONF.1995/MC.II/WP.12	Article III - export licensing: working paper submitted by Romania
NPT/CONF.1995/MC.II/WP.13	Article VII - nuclear-weapon-free zones: working paper submitted by Egypt

NPT/CONF.1995/MC.II/WP.14	Article VII - South East Asia nuclear-weapon-free zones: working paper submitted by Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand
NPT/CONF.1995/MC.II/WP.15 and Add.1	Article III - conditions of nuclear supply (full-scope safeguards): working paper submitted by Argentina, Armenia, Australia, Austria, Belgium, Brunei Darussalam, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Kyrgyzstan, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Romania, Samoa, Singapore, Slovakia, South Africa, Sri Lanka, Sweden and Thailand
NPT/CONF.1995/MC.II/WP.16	Article VII - nuclear-weapon-free zones: working paper submitted by Argentina, Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa
NPT/CONF.1995/MC.II/WP.17	Article VII - nuclear-weapon-free zone in Central Asia: working paper submitted by Kyrgyzstan
NPT/CONF.1995/MC.II/WP.18	Articles III and VII - nuclear safeguards, nuclear-weapon-free zones and export control, working paper submitted by the Movement of Non-Aligned Countries

(c) Conference room papers

NPT/CONF.1995/MC.II/CRP.1	Schedule of the meetings of Committee II
NPT/CONF.1995/MC.II/CRP.2	Chairman's proposal for a possible structure of discussion
NPT/CONF.1995/MC.II/CRP.3	Copies of the transparencies on strengthening the effectiveness and improving the efficiency of the IAEA safeguards system as presented by Richard Hooper (IAEA), on 21 April 1995

Work of the Committee

4. The Committee held 10 meetings, from 19 April to 5 May 1995; an account of the discussion is contained in the relevant summary records (NPT/CONF.1995/MC.II/SR.1-10). The Committee also held informal consultations

during that period. The Chairman of the Committee was assisted by the
Vice-Chairmen in coordinating the informal consultations convened to exami
various proposals and documents submitted to the Committee. After an iten
item consideration of the agenda items allocated to it, the Committee, at
its formal and informal meetings, proceeded to a detailed discussion of th
proposals and documents before it; the results of the discussions are outl
in paragraph 6 below. The various views expressed and proposals made are
reflected in the summary records of the Committee and in the working paper
submitted to it. Those summary records and working papers form an integra
of the report of the Committee to the Conference. In addition, at its sec
meeting, the Committee invited Mr. R. Hooper of IAEA to make a presentatic
the subject of strengthening the effectiveness and improving the efficienc
the IAEA safeguards system.

5. The Committee established a working group to consider the proposals r
to nuclear-weapon-free zones, which was chaired by Mr. de la Torre (Argent
The text on article VII was considered in a working group of Main Committe
and II. The Committee also established a drafting group to draft the text
concerning export control and related matters which was chaired by
Mr. Phillip MacKinnon (Canada).

Conclusions and recommendations

6. The Committee agreed on the following formulations for the Final Docu
of the Conference:

A. Review of article III

1. The Conference recalls the generally positive assessment of the
previous Review Conferences of the implementation of article III, anc
that recommendations at those Conferences for the future implementati
that article provide a helpful basis for States parties to the Treaty
the Non-Proliferation of Nuclear Weapons and the International Atomic
Energy Agency (IAEA) to strengthen the barriers to proliferation and
provide assurance of compliance with non-proliferation undertakings.

2. The Conference recognizes that the IAEA safeguards are an import
integral part of the international regime for non-proliferation and p
indispensable role in ensuring the implementation of the Treaty. For
reason, it calls on all States parties to give their full and continu
support to the IAEA safeguards system.

3. The Conference affirms its determination to strengthen further t
barriers to proliferation of nuclear weapons and other nuclear explos
devices and recalls the statement of 31 January 1992 by the President
the United Nations Security Council that reinforces the message that
nuclear proliferation is a major threat to international peace and
security, and that fully effective IAEA safeguards play an integral r
the implementation of the Treaty. The Conference emphasizes the impo
of access to the Security Council by the Director General of IAEA and
vital role of the Council in upholding compliance with IAEA safeguard

agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified to it by IAEA.

4. The Conference reaffirms that the non-proliferation Treaty is vital to preventing the spread of nuclear weapons and in providing significant security benefits. The parties remain convinced that universal adherence to the Treaty and full compliance with its provisions is indispensable to achieve this goal and they urge all States not parties to the Treaty to accede to it and conclude and bring into force comprehensive safeguards agreements with IAEA, as required by article III of the Treaty. It further affirms that full adherence to non-proliferation and safeguards commitments by all States parties helps to create an environment conducive to nuclear disarmament.

5. The Conference reaffirms the importance of both the safeguards system and the legitimate right of States parties to the benefits of the peaceful uses of nuclear energy, with particular attention to the needs of developing countries. It also reaffirms that the safeguards required by article III shall be implemented in a manner designed to comply with article IV and to avoid hampering the economic or technological development of the parties as well as international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of article III and the principle of safeguards set forth in the preamble to the Treaty.

6. The Conference reaffirms that each State party to the Treaty has undertaken not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by article III.

7. The Conference reaffirms the conviction that IAEA safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating this compliance. IAEA safeguards thereby promote further confidence among States and, being a fundamental element of the Treaty, help to strengthen their collective security. Such safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

8. The Conference stresses that the non-proliferation and safeguards commitments in the Treaty are essential also for peaceful nuclear commerce and cooperation and that IAEA [full-scope] safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy and are also a condition of supply of nuclear material and technology.

9. The Conference notes with satisfaction that, since the last Review Conference, with two regrettable exceptions caused by non-compliance with

the Treaty by two States parties, IAEA has continued to provide States parties with assurance that nuclear material subject to its safeguards agreements had not been diverted to nuclear weapons or other nuclear explosive devices. The Conference commends the Agency on its efforts and notes that its activities had not hampered and should not hamper the use of nuclear energy for peaceful purposes in States parties.

10. [The Conference notes further that, in the case of Iraq, the Security Council took remedial action by resolutions 687 (1991) 707 (1991) and 715 (1991). The Conference commends IAEA for its efficient execution of the tasks requested by the Security Council, which has resulted in the identification, destruction, removal or rendering harmless of Iraq's past nuclear programme and the implementation of the ongoing monitoring and verification plan which has been operational since August 1994. The Conference stresses the need for Iraq to continue its cooperation fully with the Agency in achieving the complete and long-term implementation of the relevant Security Council resolutions.]

11. [The Conference notes the fact that the Democratic People's Republic of Korea has decided to remain in the Treaty and looks forward to that State's fulfilling its stated intention to come into full compliance with the IAEA-Democratic People's Republic of Korea Safeguards Agreement (INFCIRC/403) under the Treaty, which remains binding and in force. The Conference requests IAEA to take all steps it may deem necessary, following consultation between IAEA and the Democratic People's Republic of Korea with regard to verifying the correctness and completeness of the initial report of that State on all nuclear material in that country, to verify full compliance of the Democratic People's Republic of Korea with the IAEA-Democratic People's Republic of Korea Safeguards Agreement. The Conference requests that IAEA continue to report to the Security Council and to its Board of Governors on the implementation of INFCIRC/403 until the Democratic People's Republic of Korea has come into full compliance with that Agreement and that it also report on its activities related to monitoring that freeze of specified facilities in that country. The Conference notes that monitoring this freeze falls within the scope of the IAEA-Democratic People's Republic of Korea Safeguards Agreement.]

12. The Conference reiterates the call for universal adherence to the Treaty and the application of IAEA full-scope safeguards to all peaceful nuclear activities in all States parties in accordance with the provisions of the Treaty. The Conference notes with satisfaction that 18 States parties have concluded safeguards agreements in compliance with article III, paragraph 4, of the Treaty since 1990. It has expressed its concern that unsafeguarded ambiguous nuclear activities in some States not parties to the Treaty hold serious proliferation dangers and increase the threat perception of States parties to the Treaty. It also expresses concern, however, that 68 States parties to the Treaty have yet to conclude their agreements and urges that they do so and bring those agreements into force as soon as possible. It calls on those States parties that have not yet done so to complete the negotiation of subsidiary arrangements with IAEA. It also calls on all States not parties to the Treaty with

significant nuclear programmes to submit all their nuclear activities, both current and future, to the IAEA full-scope safeguards regime.

13. The Conference notes that, in the case of States without significant nuclear activities, conclusion of safeguards agreements involves simplified procedures. The Conference recommends that the Director General continue his efforts, as a matter of priority, to further facilitate and assist States parties in the conclusion and entry into force of such agreements. The Conference encourages bilateral assistance by States parties in particular regions to complement the ongoing efforts of IAEA.

14. The Conference commends IAEA on its implementation of safeguards pursuant to the Treaty, particularly in the light of the significant increases in the nuclear material, facilities and agreements involved. The Conference welcomes the continued efforts to improve safeguards effectiveness and efficiency. The Conference notes the new safeguard approaches being studied and implemented by IAEA and commends the Agency for its work in Programme 93+2, in particular its identification of a range of measures for strengthening the effectiveness and improving the efficiency of safeguards. In this regard the Conference encourages continued work by the Agency in further developing these approaches, and emphasizes that this process should be objective and non-discriminatory.

15. The Conference recognizes that a non-nuclear-weapon State party's obligation under article III, paragraph 1, of the Treaty to accept safeguards on all source or special fissionable material in all peaceful nuclear activities requires measures to ensure that safeguards are applied to all source or special fissionable material. This is reflected in paragraph 2 of document INFCIRC/153 on Treaty safeguards agreements, which provides for the right and obligation of IAEA to ensure that safeguards will be applied in accordance with the terms of the agreement on all source or special fissionable material in all peaceful nuclear activities. Accordingly, the Conference considers that the implementation of comprehensive safeguards agreements should be designed to provide for verification by the Agency of the correctness and completeness of a State's declaration, so that there is credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear activities in accordance with article III, paragraph 1, of the Treaty.

16. The Conference welcomes the outcome of the March 1995 meeting of the IAEA Board of Governors and endorses the general direction of Programme 93+2 for a strengthened and cost-effective safeguards system and, in that respect, calls on all States for their continued support. The Conference also endorses the intention of the Agency to consider to what extent measures proposed for strengthening comprehensive safeguards agreements may usefully be applied to item-specific safeguards agreements and to voluntary offer safeguards agreements with nuclear-weapon States. The Conference expresses the hope that the additional costs of measures to strengthen the Agency safeguards system can be offset by reductions in certain routine inspection activities that do not diminish their effectiveness.

17. The Conference emphasizes that under comprehensive safeguards agreements States parties and IAEA have an obligation to cooperate fully at all times to facilitate the implementation of those agreements, so that safeguards can remain effective in all circumstances. The Conference emphasizes that further strengthening of the IAEA safeguards system is an essential element in enhancing verification under the Treaty. The Conference notes that a strengthened safeguards system will benefit from technological developments and calls for greater access for IAEA to relevant information and greater physical access to relevant sites under agreed arrangements.

18. The Conference urges IAEA to proceed expeditiously with consideration and decision on all aspects of Programme 93+2. The Conference invites all parties to the Treaty to implement measures approved or to be approved by the IAEA Board of Governors aimed at strengthening Agency safeguards and thereby improving the effectiveness and efficiency of those safeguards.

19. The Conference recommends that in the event of questions arising about the commitment to the non-proliferation objectives of the Treaty of any State party and to its legal obligations under Agency safeguards, and in particular about the safeguards coverage of its source or fissionable materials, appropriate steps be taken by IAEA and by that State party, in accordance with the Treaty and the safeguards agreement between them, to help restore confidence. The Conference reaffirms that IAEA should take full advantage of its rights, including the use of special inspections in conformity with paragraphs 73 and 77 of INFCIRC/153.

20. The Conference emphasizes that transparency with respect to national nuclear policies and programmes is an essential ingredient in the effectiveness of safeguards under the Treaty. The Conference requests that further effort be made by the Agency to improve the transparency of presentation of the results of its safeguards activities.

21. The Conference recognizes the role of IAEA as the sole body responsible for verifying, in accordance with the statute of IAEA and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that nothing should be done to undermine the authority of IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, together with supporting evidence and information, to IAEA so that it may consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate. [States parties conclusions and actions shall by no means affect or undermine the rights and obligations of the States parties as stipulated in the Treaty.]

22. The Conference reaffirms its conviction that all parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other

States to, the further development of the application of atomic energy for peaceful purposes. In that regard, nothing in the Treaty, including in article III, shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty. Improvement of the effectiveness and efficiency of the safeguard system has not and should not, therefore, hamper the promotion of the peaceful uses of nuclear energy and should accord full respect of the legitimate rights and interests of States parties.

23. The Conference emphasizes the importance of maintaining IAEA staff of the highest professional standard, with due regard to the call for an increase in the number of safeguards inspectors from developing countries, in order to have the widest geographical distribution possible. It welcomes the improvement in this situation since the last Review Conference, and notes with satisfaction the Agency's efforts to overcome this problem.

24. The Conference calls for increased cooperation by all States concerned in removing remaining restrictions by responding more quickly to IAEA designation proposals for Agency inspectors, including, where possible, the implementation of procedures to improve the efficiency of safeguards inspections as outlined by the Agency, such as cooperating with the Agency on visa requirements, accepting IAEA staff members approved in the Board of Governors for inspection activities, and permitting inspectors to use independent means of communication during inspection activities for the purpose of facilitating the conduct of their inspection activities.

25. The Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States under the relevant voluntary offer safeguards agreements in the most economic and practical way possible, taking into account the availability of IAEA resources. The Conference welcomes and supports the steps taken by nuclear-weapon States to ensure the transparency and irreversibility of nuclear arms reductions, including the recent unilateral offer to place excess fissile material under IAEA safeguards.

26. The Conference also calls for further progress towards the separation of the peaceful and military nuclear facilities in the nuclear-weapon States. It affirms the importance of ensuring that nuclear material supplies delivered to them for peaceful purposes will not be used for nuclear weapons or other nuclear explosive devices. The Conference believes that such nuclear material supplies for peaceful purposes should be subject to relevant safeguards agreements concluded between the nuclear-weapon States and IAEA. The Conference recognizes the value of the voluntary offer safeguards agreements of the five nuclear-weapon States in strengthening the non-proliferation regime.

27. The Conference notes the financial constraints under which the IAEA safeguards system has had to function and calls upon all parties to continue their political, technical and financial support of the IAEA

safeguards system in order to ensure that IAEA is able to meet its international legal obligations pursuant to safeguards agreements under the Treaty, and its increasing safeguards responsibilities. The Conference requests IAEA to continue to identify the resources needed to meet effectively and efficiently all of its safeguards responsibilities. It strongly urges all States to ensure that the Agency's budget provides those resources through assured regular financing and calls on the members of IAEA to increase their efforts to find an equitable and lasting solution to the question of a safeguards financing formula.

28. The Conference encourages and welcomes significant contributions by States parties to the safeguards development programme by facilitating and assisting the application of safeguards and in supporting research and development to strengthen and advance the application of effective and efficient safeguards. The Conference strongly urges that such cooperation and support continue. The Conference calls upon additional States to extend their cooperation and support to IAEA.

29. The Conference recognizes the importance of State or regional systems of accounting and control, and of the cooperation between those systems and IAEA, to the efficient and effective application of IAEA safeguards. In this regard it welcomes the implementation of the New Partnership Approach developed by IAEA and the European Atomic Energy Community (Euratom), which enables both institutions to benefit to the fullest extent possible from their lengthy experience. The Conference also welcomes the quadripartite comprehensive safeguards agreement between IAEA, Brazil, Argentina and the Brazilian-Argentine Agency for Accounting for and Control of Nuclear Materials (ABACC) as a positive development and the creation of ABACC as an important addition to such systems.

30. The Conference recognizes the importance of such collaboration for the continuing work on developing new or modified safeguards approaches. The Conference notes that further efforts are being made to strengthen the cooperation and enhance the cost-effectiveness of the Agency's safeguards in the States of the European Union and elsewhere. It urges intensified and widened collaboration between States and IAEA and among States with regard to the establishment of new or improved State or regional systems and in training programmes.

31. The Conference calls upon all States, when planning their national programmes for the peaceful utilization of nuclear energy, to do so consistent with the main objectives of non-proliferation, in particular to take IAEA safeguards and physical protection requirements into account while planning, designing and constructing new nuclear facilities and while modifying existing ones. The Conference encourages the continuing cooperation of States parties to ensure that future safeguarding of additional and more complex facilities can be undertaken effectively and efficiently.

32. The Conference recognizes the particular requirement for safeguards of unirradiated direct-use nuclear material and notes IAEA projections that the use of separated plutonium for peaceful purposes is expected to

increase over the next several years. The Conference welcomes the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to uranium enrichment, fuel reprocessing and handling and storage of separated plutonium. The Conference endorses continuing work of IAEA on further improving safeguards arrangements for large-scale commercial reprocessing facilities, for fuel handling and storage of separated plutonium and for uranium enrichment.

33. The Conference calls for greater transparency on matters relating to the management of plutonium and highly enriched uranium for civil purposes, including stock levels and their relations to national nuclear fuel cycles. The Conference notes the existence of substantial civil stocks of separated plutonium and recommends that all such stocks which are not already under international safeguards should be brought under such safeguards systems as soon as practicable. The Conference urges continued international examination of policy options concerning the management and use of stocks of plutonium and highly enriched uranium. This consideration could include, inter alia, arrangements for the deposit with IAEA, as envisaged in article XII.A of its statute, of plutonium and highly enriched uranium as an additional precaution against diversion of direct-use materials to nuclear weapons or other explosive devices as well as the possibility of regional fuel centres.

34. The Conference notes the paramount importance of effective physical protection of nuclear material, especially that usable for military purposes, and calls on States to maintain the highest standards of security and physical protection of nuclear materials. It expresses grave concern at instances of illicit trafficking of nuclear materials since the last Review Conference and notes the responsibility of all States to protect and ensure the security of such material. The Conference notes the need for strengthened international cooperation in physical protection and the prevention of illicit trafficking, and in this respect welcomes the work being conducted under the aegis of IAEA on this issue.

35. The Conference notes that the number of States that have acceded to the Convention on the Physical Protection of Nuclear Material has increased to 53. The Conference urges all States that have not done so to adhere to the Convention or other international instruments on physical protection of nuclear material at the earliest possible date. In the general context of physical protection, particular attention must be paid to unirradiated material of direct use.

36. The Conference recognizes the non-proliferation benefits of the conversion of civilian research reactors from high enriched uranium to low enriched uranium fuel and, when this is not feasible, of significant lowering of the level of enrichment, and welcomes the introduction of such conversions, where possible. It recommends further that international cooperation to facilitate such conversion be continued. The Conference recommends that States planning new civilian reactors avoid or minimize use of highly enriched uranium to the extent that this is feasible, taking into account technical, scientific and economic factors.

B. Review of article VII

37. The Conference recognizes the growing interest in utilizing the provisions of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, which affirms the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories.

38. The Conference reaffirms that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, particularly in regions afflicted with conflicts, enhances regional and global peace and security and contributes to the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the specific characteristics of each region should be taken into account. Such zones constitute an important disarmament measure which greatly strengthens the international non-proliferation regime in all its aspects. Nuclear-weapon-free zone treaties, especially those covering issues such as dumping of radioactive waste, contribute to the protection of the environment.

39. The Conference emphasizes the importance of concluding nuclear-weapon-free zone arrangements in accordance with the Charter of the United Nations and in conformity with international law and with internationally recognized principles, as stated in the Final Document of the first special session of the General Assembly devoted to disarmament.

40. The Conference recognizes that the cooperation of all the nuclear-weapon States is necessary for the creation and maximum effectiveness of treaty arrangements for establishing a nuclear-weapon-free-zone. The Conference calls on all nuclear-weapon States to respect the commitment which non-nuclear-weapon States parties to a treaty establishing a nuclear-weapon-free zone have made to keep their regions free of nuclear weapons. It further calls on them to support those regional treaties, to assist in the establishment of such zones and to give early consideration to signing of the relevant protocols once concluded, including undertakings to refrain from the use or threat of use of nuclear weapons against States parties to the treaty establishing the zone.

41. The Conference expresses its satisfaction at the adherence to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) by all the countries in the region, as well as to its Protocols I and II by all the countries concerned, which makes of Latin America and the Caribbean the first densely inhabited zone free of nuclear weapons.

42. The Conference notes with satisfaction the success of the South Pacific Nuclear Free Zone in reinforcing in the South Pacific region the global norm against nuclear weapons proliferation. It calls on those nuclear-weapon States that have not yet done so to give early consideration to signing the relevant protocols of the South Pacific Nuclear Free Zone Treaty.

43. The Conference commends the progress being made towards the conclusion of the treaty on an African nuclear-weapon-free zone, and urges all States in the region to take necessary steps for the implementation of the treaty when concluded. It further urges the nuclear-weapon States to consider adhering to the relevant protocols when called upon to do so.

[44. The Conference, recalling the recommendations for the establishment of a nuclear-weapon-free zone in the Middle East, consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the final document of the tenth special session of the General Assembly, as well as [all relevant General Assembly resolutions, the last of which is] resolution 49/71, which was adopted by consensus on 15 December 1994, [and paragraph 14 of Security Council resolution 687 (1991)] and aware of the recent [positive] developments in the Middle East, considers that current circumstances [[are/could be] conducive to the [early/progress toward] establishment of a nuclear-weapon-free zone in the region of the Middle East, [should Israel adhere to Treaty and place all its nuclear activities under IAEA safeguards] on the basis of arrangements freely arrived at among the States of the region [through direct negotiations among them] within [the] [an] appropriate forum, [including the arms control and regional security working group of the Middle East peace process] and urges all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular nuclear-weapon States [to exert every effort to ensure/to lend their strong support to achieve the establishment of the nuclear-weapon-free zone in the Middle East] that all States of the Middle East adhere to the Treaty and that the zone is established as a matter of priority.]

45. [The Conference urges all States of the region to take the practical and urgent steps required for the establishment of such a zone, and calls upon all of those States among them that have not done so, pending the establishment of the zone, in particular Israel, [bearing in mind that Israel is the only State which the Security Council, in resolution 487 (1981) called upon to place all its nuclear facilities under IAEA safeguards] which has a significant nuclear programme, to declare solemnly that they will refrain from developing, producing, testing or otherwise acquiring nuclear weapons and from permitting the stationing on their territories or territories under their control of nuclear weapons or nuclear explosive devices, and to adhere promptly to the Treaty on the Non-Proliferation of Nuclear Weapons; and to place all their nuclear activities under full-scope IAEA safeguards.]

46. The Conference recalls the proposal by Egypt to establish a zone free from weapons of mass destruction in the Middle East, and recognizes that the establishment of such a zone would constitute an important contribution towards the removal of threats to regional and international peace and security as enunciated by the Security Council in its declaration of 31 January 1992.

47. The Conference acknowledges the efforts of the ASEAN States to establish a South East Asia nuclear-weapon-free zone, which has been endorsed by ASEAN States and other South-East Asian countries, and that the

ASEAN States emphasized, *inter alia*, their determination to intensify efforts for the early establishment of such a zone. The Conference endorses the view of the States of South-East Asia that progress towards the establishment of a nuclear-weapon-free zone, which conforms to generally recognized international principles of such a zone, will reinforce nuclear-weapon non-proliferation in the region in accordance with articles I, II and VII of the Treaty.

48. [The Conference welcomes the recent accession of a number of European States to the non-proliferation Treaty as non-nuclear-weapon States and takes note of the opinion expressed by Belarus that these developments might be conducive to creating a nuclear-weapon-free zone in Central Europe.]

49. The Conference takes note of the declaration of Mongolia of its territory as a nuclear-weapon-free zone.

50. The Conference takes note of the interest of Kyrgyzstan and Uzbekistan in creating a nuclear-weapon-free zone in central Asia and believes that it should contribute to peace, stability and security in the region. Kyrgyzstan and Uzbekistan will submit specific proposals in this regard and would welcome their consideration by other concerned States.

51. The Conference calls upon all States of the South-Asian region to cooperate on a priority basis in establishing a nuclear-weapon-free zone in the region, which would contribute significantly towards the enhancement of regional peace and security.

7. The two texts below are for possible consideration in the light of the Committee I discussions.

[The Conference also strongly supports negotiation of a fissile material cut-off convention.]

[The Conference notes that the conclusion of a cut-off convention, such as the Conference has called for, would result in the extension of safeguards to important facilities not currently safeguarded, both in nuclear-weapon States and States not parties to the Treaty.]

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.1
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - INTRODUCTION

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference recalls the generally positive assessment of previous Review Conferences of the implementation of article III, and notes that recommendations at those Conferences for the future implementation of that article provide a helpful basis for States parties to the non-proliferation Treaty and the International Atomic Energy Agency (IAEA) to strengthen further the barriers to proliferation and provide assurance of compliance with non-proliferation undertakings.

2. The Conference affirms its determination to strengthen further the barriers against the proliferation of nuclear weapons and other nuclear explosive devices to additional States and recalls the statement of 31 January 1992 by the President of the United Nations Security Council (see S/23500) that reinforces the message that nuclear proliferation is a major threat to international peace and security. The Conference emphasizes the vital role of the Security Council in upholding compliance with IAEA safeguards agreements and enforcing compliance with safeguards obligations.

3. The Conference reaffirms that the non-proliferation Treaty is vital to preventing the spread of nuclear weapons and in providing significant security benefits. The parties remain convinced that universal adherence to the non-proliferation Treaty and full compliance with its provisions is the best way to achieve this goal, and they urge all States not party to the Treaty to accede to it and bring into force the required safeguards agreements.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.2
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - SAFEGUARDS

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference reaffirms the conviction that the International Atomic Energy Agency (IAEA) safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating this compliance. IAEA safeguards thereby promote further confidence among States, and, being a fundamental element of the Treaty, help to strengthen their collective security. Such safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

2. The Conference stresses that the non-proliferation and safeguards commitments in the Treaty are essential also for peaceful nuclear commerce and cooperation and that IAEA safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy.

3. The Conference notes with regret that two States parties to the Treaty have been found to be in non-compliance with the provisions of the Treaty and their safeguards agreement with IAEA.

4. The Conference notes further that, in the case of Iraq, the Security Council took remedial action by resolutions 687 (1991), 699 (1991), 707 (1991) and 715 (1991). The Conference commends IAEA for its continuing efficient execution of the tasks requested by the Security Council in tracing and eliminating clandestine activities that are proscribed for non-nuclear-weapon States parties.

5. The Conference notes the fact that the Democratic People's Republic of Korea has decided to remain in the Treaty and looks forward to that State's fulfilling its stated intention to come into full compliance with the IAEA-Democratic People's Republic of Korea Safeguards Agreement (INFCIRC/403) under the Treaty, which remains binding and in force. The Conference requests IAEA to take all steps it may deem necessary, following consultations between IAEA and the Democratic People's Republic of Korea with regard to verifying the accuracy and completeness of the initial report of the Democratic People's Republic of Korea on all nuclear material in that country, to verify full compliance of the

Democratic People's Republic of Korea with the IAEA-Democratic People's Republic of Korea Safeguards Agreement. The Conference requests that IAEA continue to report to the Security Council and to its Board of Governors on the implementation of INFCIRC/403 until the Democratic People's Republic of Korea has come into full compliance with that Agreement and that it also report on its activities related to monitoring the freeze of specified facilities in that country. The Conference notes that monitoring this freeze falls within the scope of the IAEA-Democratic People's Republic of Korea Safeguards Agreement.

6. The Conference reiterates the call for the continued pursuit of the principle of universal application of IAEA safeguards to all peaceful nuclear activities in all States. The Conference notes with satisfaction that 12 States have concluded safeguards agreements in compliance with article III, paragraph 4, of this Treaty since 1990. It expresses concern, however, that 57 States parties to the Treaty have yet to conclude their agreements and urges that they do so and bring these agreements into force as soon as possible.

7. The Conference notes that in the case of States without significant nuclear activities, conclusion of safeguards agreements involves simplified procedures. The Conference recommends that the Director General continue his efforts, as a matter of priority, to further facilitate and assist States parties in the conclusion and entry into force of such agreements and calls on States to complete the negotiation of subsidiary arrangements with IAEA. The Conference encourages bilateral assistance by States parties in particular regions to complement the ongoing efforts of IAEA.

8. The Conference commends IAEA on its implementation of safeguards pursuant to this Treaty, particularly in the light of the significant increases in the nuclear material, facilities and agreements involved. The Conference welcomes the continued improvements in safeguards effectiveness and notes that this process has resulted in utilization by the Secretariat of new cost-effective technologies and methodologies. The Conference notes the new safeguards approaches being studied and implemented by IAEA and commends the Agency for its work in programme 93 + 2, in particular its identification of a range of measures for strengthening and improving the cost-effectiveness of safeguards. In this regard the Conference welcomes the decisions taken in March 1995 by the Board of Governors. The Conference encourages continued work by the Agency in further developing these and any additional approaches.

9. The Conference recognizes that a non-nuclear-weapon State party's obligation under article III, paragraph 1, of the Treaty to accept safeguards on all source or special nuclear material in all peaceful nuclear activities requires measures to ensure that safeguards are applied to all nuclear material. This is reflected in paragraph 2 of the standard NPT safeguards agreements, which provides for IAEA's right and obligation to ensure that safeguards will be applied on all source or special fissionable material in all peaceful nuclear activities. Accordingly, the Conference considers that a fundamental role of NPT safeguards is to verify both the non-diversion of declared nuclear material and the absence of undeclared nuclear material and related activities.

10. The Conference recognizes that IAEA safeguards were chiefly designed to detect diversion of nuclear material from declared facilities. Noting

developments since the 1990 Review Conference, it confirms that the IAEA safeguards system for implementing comprehensive safeguards agreements should be designed to provide for IAEA verification of the correctness and completeness of States' declarations, to provide credible assurances of the non-diversion of nuclear material from declared activities and the absence of undeclared nuclear material and related activities.

11. The Conference emphasizes that further strengthening of the IAEA safeguards system is an essential element in enhancing verification under the Treaty. The Conference further emphasizes that under comprehensive safeguards agreements States parties and IAEA have an obligation to cooperate fully to facilitate the implementation of the agreements. Experience has shown that such cooperation allows safeguards to remain effective even in the most challenging of situations. The Conference notes that a strengthened safeguards system will benefit from technological developments and calls for greater access for IAEA to relevant information and greater physical access to relevant sites. This should be done either on the basis of existing authority provided for in comprehensive safeguards agreements or on the basis of complementary authority to be conferred by the States involved. The Conference reiterates that the IAEA Statute and the existing safeguards framework in accordance with INFCIRC/153 provide a basic framework for additional arrangements.

12. The Conference calls upon all parties to the Treaty to implement measures approved by the IAEA Board of Governors aimed at strengthening Agency safeguards and thereby improving the effectiveness and efficiencies of those safeguards. The ability of the IAEA safeguards to detect the existence of undeclared nuclear activities in States with comprehensive safeguards agreements should be increased. It notes, however, that this additional capability to detect undeclared nuclear activities is intended to complement, not replace, effective safeguards on declared material.

13. The Conference recommends that in the event of questions arising about the commitment to the non-proliferation objectives of the Treaty of any State party and to its legal obligations under Agency safeguards, and in particular about the safeguards coverage of its source of fissionable materials, appropriate steps be taken by IAEA and by that State party, in accordance with the Treaty and the safeguards agreement between them, to help restore confidence. The Conference urges IAEA not to hesitate to take full advantage of its rights, including the use of special inspections, as outlined in paragraphs 73 and 77 of INFCIRC/153.

14. The Conference recognizes that IAEA safeguards alone cannot ensure compliance with and enforcement of NPT obligations, which is the responsibility of all parties to the Treaty and the Security Council, and emphasizes that full transparency with respect to national nuclear policies and programmes is an essential ingredient in the effectiveness of safeguards. The Conference requests that further effort be made by the Agency to improve the transparency of presentation of the results of its safeguards activities.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.3
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - STATE SYSTEMS OF ACCOUNTING AND CONTROL

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference recognizes the importance of State systems of accounting and control and of regional systems, and of the cooperation between these systems and the International Atomic Energy Agency (IAEA), to the efficient and effective application of IAEA safeguards. In this regard it welcomes the implementation of the New Partnership approach developed between the IAEA and the European Atomic Energy Community (Euratom). The Conference also welcomes the quadripartite comprehensive safeguards agreement between the IAEA, Brazil, Argentina and the Brazilian-Argentine Agency for Accounting for and Control of Nuclear Materials (ABACC) as a positive development in improving regional systems.

2. The Conference recognizes the importance of such collaboration for the continuing work on developing new or modified safeguards approaches. The Conference notes that further efforts are being made to develop this system with a view to strengthening the cooperation and enhancing the cost-effectiveness of safeguards in the States of the European Union. It urges continued and widened activities in this area, including intensified collaboration between States and IAEA with regard to establishment of new or improved State or regional systems and in training programmes.

3. The Conference calls upon all States to keep non-proliferation aspects in mind when planning their national programmes for the peaceful utilization of nuclear energy and in particular to take IAEA safeguards requirements into account while planning, designing and constructing new nuclear facilities and while modifying existing ones. The Conference encourages the continued cooperation of member States to ensure that future safeguarding of additional and more complex facilities can be undertaken effectively and efficiently.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.5
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - SAFEGUARDS IN NUCLEAR-WEAPON STATES

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference underlines the importance of international verification of the transfer to peaceful or non-proscribed military utilization of nuclear-weapon materials that have been withdrawn from weapons use. The Conference welcomes and supports recent unilateral offers to place excess fissile material under International Atomic Energy Agency (IAEA) safeguards and urges all nuclear-weapon States to offer for verification any nuclear materials and nuclear installations that may be transferred from military use to peaceful nuclear activities by submitting them to the IAEA safeguards system. The Conference also strongly supports negotiation of a fissile material cut-off convention.

2. The Conference also calls for substantial progress without delay towards the separation of the peaceful and the military nuclear facilities in the nuclear-weapon States. It affirms the importance of commitments by nuclear-weapon States that nuclear supplies for peaceful purposes will not be used for nuclear weapons or other nuclear explosive devices. The Conference strongly believes that these supplies for peaceful purposes should be subject to the safeguards agreements concluded between the nuclear-weapon States and IAEA.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.6
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - IAEA INSPECTORS

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference emphasizes the importance of maintaining International Atomic Energy Agency (IAEA) staff of the highest professional standard, with due regard to the call for an increase in the number of safeguards inspectors from developing countries, in order to have the widest geographical distribution possible. It welcomes the improvement in this situation since the last Review Conference and notes with satisfaction the Agency's efforts to overcome this problem.

2. The Conference calls for increased cooperation by all States in removing remaining restrictions by responding more quickly to IAEA designation proposals for Agency inspectors, including, where possible, the implementation of simplified procedures to improve the efficiency of safeguards inspections as outlined by the Agency. These procedures include cooperating with the Agency on visa requirements, accepting IAEA staff members' approved in the Board of Governors for inspection activities, permitting inspectors to use independent means of communication during inspection activities and expanding the immunity accorded Agency officials to facilitate the conduct of their inspection activities.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - EXPORT LICENSING

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference urges all States parties to ensure that their exports do not in any way assist non-nuclear-weapon States to acquire nuclear weapons.

2. The Conference notes the complementary and important role of national export and import control mechanisms to ensure that supplier countries give effect to their obligations under articles I, II and III not to contribute to the proliferation of nuclear weapons. The Conference recognizes that such controls are intended to provide an environment of confidence for international cooperation in the peaceful uses of nuclear energy.

3. The Conference notes that a number of States parties engaged in the supply of nuclear material and equipment have met regularly as an informal group known as the Zangger Committee in order to coordinate their implementation of article III, paragraph 2. To this end, these States have adopted certain requirements, including a list of items triggering International Atomic Energy Agency (IAEA) safeguards, for their export to non-nuclear-weapon States not parties to the Treaty, as set forth in IAEA document INFCIRC/209 as amended.

4. The Conference urges all States to adopt the requirements of the Zangger Committee in connection with any nuclear cooperation with non-nuclear-weapon States not parties to the Treaty. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time to take into account advances in technology and changes in procurement practices.

5. The Conference notes further that a number of States parties also cooperate as an informal group known as the Nuclear Suppliers Group, which administers control of lists for their exports to non-nuclear-weapon States that also include dual-use items as set forth in IAEA document INFCIRC/254 as amended.

6. The Conference recommends the States parties to consider further ways to improve the measures to prevent diversion of nuclear technology for nuclear weapons, other nuclear explosive purposes or nuclear-weapon capabilities. The Conference notes that items included in the Zangger Committee "trigger list" as well as the Nuclear Suppliers Group "trigger list" and many dual-use items are

essential in the development of nuclear energy. In this regard the Conference requests that the Zangger Committee and other supplier arrangements should continue to take appropriate measures to ensure that the export requirements laid down by it do not hamper the acquisition of such items by States parties for the development of nuclear energy for peaceful uses.

7. The Conference recognizes that there are items of equipment and materials, including tritium, not identified in NPT article III, paragraph 2, which are relevant to the proliferation of nuclear weapons and therefore to the Treaty as a whole. Without prejudice to the existing principles guiding international cooperation in the peaceful uses of nuclear energy, especially article IV of the Treaty, the Conference in this regard calls for consultations among States to ensure that their supply and export controls are appropriately coordinated.

1995 Review and Extension Conference
# of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.8
21 April 1995

ORIGINAL: ENGLISH

New York
17 April-12 May 1995

ARTICLE III - PHYSICAL PROTECTION

Working paper submitted by Australia, Austria, Canada,
Denmark, Finland, Hungary, Ireland, the Netherlands,
New Zealand, Norway and Sweden

1. The Conference notes the paramount importance of effective physical protection of nuclear material, especially that usable for military purposes, and calls on the nuclear-weapon States to maintain the highest standards of security and physical protection of nuclear-weapon systems and materials. The Conference expresses grave concern at reports of illicit trafficking of nuclear materials since the last Review Conference and notes the responsibility of all States to protect and ensure the security of material that could contribute to the construction of nuclear weapons. The Conference notes the need for strengthened international cooperation in physical protection, and in this respect welcomes the work being conducted under the aegis of the International Atomic Energy Agency (IAEA) on this issue.

2. The Conference notes that accession to the Convention on the Physical Protection of Nuclear Material has increased to ___. The Conference urges all States that have not done so to adhere to the Convention or other international instruments on physical protection of nuclear material at the earliest possible date. In the general context of physical protection, particular attention must be paid to material of direct use, including separated plutonium.

3. The Conference recognizes the non-proliferation benefits of the conversion of civilian research reactors from high-enriched uranium to low-enriched uranium fuel and, when this is not feasible, of significant lowering of the level of enrichment, and welcomes the introduction of such conversions, where possible. It recommends that no new civilian reactors requiring high-enriched uranium be constructed. It recommends further that international cooperation to facilitate such conversion be continued.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.9
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - PLUTONIUM

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

1. The Conference recognizes the particular requirement for safeguards of direct use nuclear material and notes projections by the International Atomic Energy Agency (IAEA) that the use of separated plutonium for peaceful purposes is expected to increase over the next several years. The Conference expresses satisfaction at the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to reprocessing and the storage of separated plutonium.

2. The Conference calls for greater transparency on matters pertaining to the management of plutonium and highly enriched uranium. It also encourages the relevant States not to stockpile such material in excess of normal civil operational requirements for nuclear energy programmes. It reaffirms that all such excess fissile material should be under IAEA safeguards. The Conference encourages States to continue to examine long-term arrangements for the management of plutonium and highly enriched uranium. This could include IAEA consideration of arrangements, as foreseen in its Statute, for deposit with it of any excess of plutonium and highly enriched uranium in order to prevent stockpiling of materials that could be diverted to direct use for nuclear weapons or other explosive devices. In this context, regional nuclear fuel centres should also be considered further.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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24 April 1995

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New York, 17 April-12 May 1995

PREVENTION OF NUCLEAR WEAPON PROLIFERATION, NUCLEAR SAFEGUARDS AND NUCLEAR-WEAPON-FREE ZONES

Working paper submitted by China

For the benefit of the review of Main Committee II on relevant articles of the Treaty on the Non-Proliferation of Nuclear Weapons concerning the prevention of nuclear weapon proliferation, nuclear safeguards and nuclear-weapon-free zones, the Chinese delegation hereby submits the following working paper, expecting that due reflection will be given to these points in drafting the final document of the Conference.

I. PREVENTION OF NUCLEAR WEAPON PROLIFERATION

1. The Conference notes that the Treaty has played a positive role in containing nuclear weapon proliferation and the preservation of international peace and security. It reaffirms the three major objectives of the Treaty, namely, the prevention of nuclear weapon proliferation, promotion of nuclear disarmament and the advancement of international cooperation in the peaceful uses of nuclear energy.

2. The Conference further notes that as the Treaty was concluded 25 years ago under the historical conditions prevailing then, it has its limitations and defects, primarily in the setting out of different rights and obligations for different States parties. It believes, however, that with the continuing progress in nuclear disarmament and enhanced cooperation between countries on the peaceful uses of nuclear energy, such limitations and defects could be gradually redressed and rectified.

3. The Conference holds that the prevention of nuclear weapon proliferation is not an end in itself, but an intermediate step leading towards the ultimate objective of complete prohibition and thorough destruction of nuclear weapons.

II. NUCLEAR SAFEGUARDS

4. The Conference recognizes that the International Atomic Energy Agency (IAEA) safeguards have become an important integral part of the international regime for non-proliferation and have played an indispensable role in ensuring the implementation of the Treaty. It gives full recognition of the significance of the safeguards system and calls on all States parties to render their continued support for the IAEA safeguards.

5. The Conference holds that the safeguards and the promotion of peaceful uses of nuclear energy are the two parallel objectives of IAEA and that they are of equal importance and mutually complementary and that neither should be disadvantaged. It stresses that the prevention of nuclear weapon proliferation should be beneficial for the promotion of peaceful uses of nuclear energy and beneficial to the assurance of the legitimate rights of various countries, the developing countries in particular, in their peaceful uses of nuclear energy and should not hamper their peaceful application of such energy.

6. The Conference points out that the existing safeguards regime should be improved and strengthened so as to meet the needs of new developments. It appraises positively the efforts of IAEA in this regard. It is also of the view that IAEA may start by adopting measures that are technically effective, financially economical and within the existing legal framework of the Agency. As for measures beyond the existing legal framework, agreements need to be obtained through discussions and consultations among all parties involved. These new measures may be subsequently implemented based on agreements between IAEA and member States concerned.

7. The Conference emphasizes that the following principles should be observed in improving the safeguards regime: (1) the process should be fair, objective, rational and transparent; (2) it should in no way hamper the promotion of the peaceful uses of nuclear energy; (3) it should be implemented in such a way as to ensure full respect for the legitimate rights and interests of all member States. In this respect, measures should be taken to avoid any harm to the political, economic and security interests of the member States. The Conference expects further efforts by IAEA in this direction.

III. NUCLEAR-WEAPON-FREE ZONES

8. The Conference supports the establishment on a voluntary basis and through consultations of nuclear-weapon-free zones or zones free of weapons of mass destruction. It welcomes the fact that all nuclear-weapon States parties to the Treaty have signed Additional Protocol II to the Treaty of Tlatelolco, pledging not to use or threaten to use nuclear weapons against that nuclear-weapon-free zone and countries in the zone under any circumstances; not to test, manufacture, produce, store, install or deploy nuclear weapons in those countries or in the region as a whole; and not to pass their delivery vehicles of nuclear weapons through the territories of the countries in the zone, including their territorial waters and air space.

9. The Conference further welcomes the fact that some nuclear-weapon States parties to the Treaty have signed Additional Protocols II and III to the Treaty of Rarotonga, undertaking to respect the status of the South Pacific as a nuclear-weapon-free zone and not to use or threaten to use nuclear weapons against that zone under any circumstances, nor will they carry out any nuclear-weapon test in the region. It urges the other nuclear-weapon States parties to the Treaty that have not done so to sign the relevant Protocols at an early date.

10. The Conference welcomes and supports the efforts made by the African and Middle Eastern countries for the establishment of a nuclear-weapon-free zone and a zone free of weapons of mass destruction and takes note of proposals from various countries on the establishment of zones of peace or zones free of nuclear weapons in their respective regions.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.11
26 April 1995

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New York, 17 April-12 May 1995

ARTICLE III - IAEA SAFEGUARDS, INCLUDING SPECIAL INSPECTIONS AND PREVENTING CLANDESTINE NUCLEAR-WEAPON PROGRAMMES

Working paper submitted by Romania

The Conference reaffirms the importance of and supports efforts aimed at strengthening the verification regime of the International Atomic Energy Agency (IAEA) by bringing into force full-scope safeguards agreements as required by the Treaty on the Non-Proliferation of Nuclear Weapons, including the right to conduct special (challenge) inspections, and the need to enhance the IAEA capabilities to prevent and detect clandestine nuclear-weapon programmes.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.12
26 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - EXPORT LICENSING

Working paper submitted by Romania

The Conference emphasizes the importance of appropriate measures aimed at preventing the access to nuclear materials, equipment and technologies for purposes other than peaceful ones and at improving national export control policies by supporting or strengthening the guidelines of the Zangger Committee and the Nuclear Suppliers Group.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.13
27 April 1995

ORIGINAL: ENGLISH

New York
17 April-12 May 1995

ARTICLE VII - NUCLEAR-WEAPON-FREE ZONES

Working paper submitted by Egypt

For the benefit of the review of Main Committee II of the implementation of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, the delegation of Egypt submits the following working paper, expecting that due reflection will be given to these points in drafting the final document of the Conference, concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East.

1. The Conference reaffirms its conviction that the establishment of nuclear-weapon-free zones is an important disarmament measure which greatly strengthens the international non-proliferation regime.

2. The Conference recognizes that the conclusion of arrangements for the establishment of such zones, particularly in regions afflicted with conflict, is of utmost necessity to enhance international peace and security.

3. The Conference further recognizes that the cooperation of the nuclear-weapon States is necessary to ensure the maximum effectiveness of any treaty arrangements which aim at establishing nuclear-weapon-free zones, and calls upon those States to assist regional efforts in this regard.

4. The Conference, recalling the recommendations for the establishment of a nuclear-weapon-free zone in the Middle East, consistent with paragraphs 60 to 63, and in particular paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, as well as Assembly resolution 49/71, which was adopted by consensus on 15 December 1995, and aware of the recent developments in the Middle East, considers that current circumstances are conducive to the early establishment of a nuclear-weapon-free zone in the region of the Middle East on the basis of arrangements freely arrived at among the States of the region through direct negotiations among them within the appropriate forum, including the Arms Control and Regional Security Working Group of the Middle East Peace Process.

5. The Conference urges all States of the Middle East to take the practical and urgent steps required for the establishment of such a zone in the region.

6. The Conference calls upon all States of the region that have not done so, pending the establishment of the zone, in particular Israel, which has a significant nuclear programme, to declare solemnly that they will refrain from developing, producing, testing or otherwise acquiring nuclear weapons and from permitting the stationing on their territories or territories under their control of nuclear weapons or nuclear explosive devices, and to adhere promptly to the Treaty on the Non-Proliferation of Nuclear Weapons; and to place all their nuclear activities under the full scope of IAEA safeguards.

7. The Conference urges all States parties to the Treaty, in particular the depository States, to exert every effort to ensure that all parties of the Middle East adhere to the Treaty and that the zone is established as a matter of priority.

8. The Conference recalls the proposal by Egypt to establish a zone free from weapons of mass destruction in the Middle East, and recognizes that the establishment of such a zone would constitute an important contribution towards the removal of threats to regional and international peace and security as enunciated by the Security Council in its summit declaration in 1992.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.14
28 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE VII - SOUTH-EAST ASIA NUCLEAR-WEAPON-FREE ZONE

Working paper submitted by Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand

The Conference notes that the representatives of the ASEAN States emphasized, inter alia, their determination to intensify efforts for the early establishment of a South-East Asia nuclear-weapon-free zone. The Conference endorses the view of the States of the subregion that progress towards the establishment of a nuclear-weapon-free zone will create conditions conducive to nuclear-weapon non-proliferation in the region in accordance with articles I and II of NPT.

The Conference notes that the idea of establishing a South-East Asia nuclear-weapon-free zone has been endorsed by other South-East Asian countries. It notes the view of the countries of the subregion that the establishment of a nuclear-weapon-free zone constitutes a concrete contribution of non-nuclear-weapon States parties to the achievement of the objectives of nuclear disarmament as stipulated in NPT.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.15
28 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS

Working paper submitted by Argentina, Australia, Austria, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Romania, Samoa, Singapore, Slovakia, South Africa, Sri Lanka and Sweden

PROPOSED FINAL DOCUMENT LANGUAGE RELATING TO THE CONDITIONS OF NUCLEAR SUPPLY (FULL-SCOPE SAFEGUARDS)

The Conference notes that most non-nuclear-weapon States have undertaken international legally binding commitments under articles II and III, paragraph 1, of the Treaty not to acquire nuclear weapons or other nuclear explosive devices and to accept International Atomic Energy Agency (IAEA) safeguards on all their peaceful nuclear activities, both current and future, to verify that commitment. The Conference urges all non-nuclear-weapon States, which have not already done so to make such commitments, and notes that accession to the Treaty is the most effective way to achieve these objectives. The Conference affirms that new supply arrangements for the transfer to non-nuclear-weapon States of source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, should require, as a necessary precondition, such a commitment and acceptance of such full-scope safeguards. The Conference notes that most nuclear suppliers, in accordance with their commitments under article III, paragraph 2, require these conditions to be met prior to transfers of relevant nuclear supplies. The Conference urges those suppliers which have not yet done so to require such conditions without delay.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.15/Add.1
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE III - INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS

Working paper submitted by Argentina, Australia, Austria, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Romania, Samoa, Singapore, Slovakia, South Africa, Sri Lanka and Sweden

PROPOSED FINAL DOCUMENT LANGUAGE RELATING TO THE CONDITIONS OF NUCLEAR SUPPLY (FULL-SCOPE SAFEGUARDS)

Addendum

Add the following countries to those which submitted the working paper:

Armenia, Belgium, Brunei Darussalam, Kyrgyzstan and Thailand

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.16
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New York, 17 April-12 May 1995

ARTICLE VII - NUCLEAR-WEAPON-FREE ZONES

Working paper submitted by Argentina, Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa

1. The Conference recognizes the growing interest in utilizing the provisions of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, which affirms the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

2. The Conference reaffirms that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned enhances global peace and security. Such zones constitute an important disarmament measure and make a valuable contribution to the non-proliferation objective of the Treaty and to protecting the environment.

3. The Conference emphasizes the importance of concluding nuclear-weapon-free zone arrangements in harmony with internationally recognized principles, as stated in the Final Document of the first special session of the General Assembly devoted to disarmament. In the process of establishing such zones, the specific characteristics of each region should be taken into account.

4. The Conference recognizes that the cooperation of all the nuclear-weapon States is essential for the maximum effectiveness of any treaty arrangements for establishing a nuclear-weapon-free zone. The Conference urges all nuclear-weapon States to respect the commitment which non-nuclear-weapon States parties to a treaty establishing a nuclear-weapon-free zone have made to keep their regions free of nuclear weapons. It further urges them to support such regional treaties and to adhere to all relevant protocols.

5. The Conference expresses its satisfaction at the adherence to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) by all the countries in the region, as well as to its Protocols I and II by all the countries concerned. The Conference regrets that not all the nuclear-weapon States have adhered to the relevant protocols of the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga), and urges them to do so at an early date. The Conference commends the progress being made towards the conclusion of the Treaty on an African Nuclear-Weapon-Free Zone, and urges the nuclear-weapon States to adhere to and comply with obligations, as appropriate, when they are called upon to do so. The Conference takes note of

the efforts being made to establish nuclear-weapon-free zones in other regions of the world, especially in the Middle East and South-East Asia, and encourages their early conclusion.

1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/WP.18
1 May 1995

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New York, 17 April-12 May 1995

ARTICLES III AND VII - NUCLEAR SAFEGUARDS, NUCLEAR-WEAPON-FREE ZONE AND EXPORT CONTROL

Working paper submitted by the Movement of Non-Aligned Countries

I. NUCLEAR SAFEGUARDS

1. The Conference reaffirms that International Atomic Energy Agency (IAEA) safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating their compliance. IAEA safeguards should therefore play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

2. The Conference commends IAEA for its efforts in implementing the safeguards regime and expresses its support for the ongoing process of strengthening and improving the effectiveness of that regime in programme 93 + 2. It emphasizes in that regard that the process should be objective and non-discriminatory.

3. The Conference considers that unsafeguarded and ambiguous nuclear activities in some States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons pose serious proliferation dangers and increase the threat perceptions of States parties to the Treaty. The Conference in that respect calls upon all States not parties to the Treaty with significant nuclear programmes to submit all their nuclear activities, both current and future, to the IAEA full-scope safeguards regime. The Conference considers further that the application of IAEA full-scope safeguards is an effective confidence-building measure, particularly in volatile and conflict-ridden regions.

4. The Conference considers the application of IAEA full-scope safeguards a condition of supply of nuclear materials and technology. States shall refrain from extending assistance in the nuclear field to States not parties to the Treaty who have not submitted their nuclear activities to the IAEA full-scope safeguards.

5. The Conference reaffirms the need to promote further the transfer of technology and technical cooperation for the peaceful application of nuclear energy to non-nuclear-weapon States parties to the Treaty, and in that regard also reaffirms the inalienable right of all parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes.

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II. NUCLEAR-WEAPON-FREE ZONES

6. The Conference considers that the establishment of nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, constitutes an important disarmament measure and therefore that the process of establishing such zones in different parts of the world should be encouraged, with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account.

7. The Conference expresses its belief that concrete measures of nuclear disarmament would contribute significantly to creating favourable conditions for the establishment of nuclear-weapon-free zones.

8. The Conference recognizes that for the maximum effectiveness of any treaty arrangements for establishing a nuclear-weapon-free zone the cooperation of the nuclear-weapon States is necessary. In that connection, the nuclear-weapon States are invited to assist the efforts of States to create nuclear-weapon-free zones, and to enter into a binding undertaking to respect strictly the status of such a zone and to refrain from the use or threat of use of nuclear weapons against the States of the zone.

9. The Conference welcomes the progress achieved in strengthening the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). It urges nuclear-weapon States that have not yet done so to sign the relevant protocols of the Treaty of Rarotonga.

10. The Conference also welcomes the current progress towards concluding a draft treaty on an African nuclear-weapon-free zone and expresses its full support for that endeavour.

11. The Conference expresses its full support for the establishment of nuclear-weapon-free zones in the Middle East, and calls upon the parties concerned in that region to take the necessary steps to attain that objective as a matter of high priority. It calls upon all States parties to encourage the establishment of nuclear-weapon-free zones in other parts of the world and calls upon countries in the region concerned to take the necessary steps to attain that objective as a matter of high priority.

III. EXPORT CONTROL

12. The Conference urges all States parties to ensure that their nuclear exports do not in any way assist non-nuclear-weapon States not party to the Treaty to acquire nuclear weapons or other nuclear explosive devices.

13. The Conference notes the importance and complementary nature of non-discriminatory guidelines agreed by all States parties in the field of transfer of nuclear materials, equipment and technology to ensure that such transfers are diverted to nuclear-weapon purposes and do not impede the development of nuclear energy for peaceful purposes.

14. To that end, the Conference decides to establish an ad hoc committee to formulate criteria and procedures governing the transfers of nuclear material, equipment and technology to non-nuclear-weapon States and to agree on an export control trigger list, as well as to elaborate specific measures to ensure the nuclear supply to non-nuclear-weapon States party to the Treaty for peaceful purposes. The first meeting of the Committee will be convened at ... in ... 1995.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/1
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF MAIN COMMITTEE III

Establishment and terms of reference

1. Under rule 34 of its rules of procedure, as provisionally applied, the Conference established Main Committee III as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

Officers of the Committee

2. The Conference elected Mr. Jaap Ramaker (Netherlands) as the Chairman of the Committee; Mr. Yanko Yanev (Bulgaria) and Mr. Gustavo Alvarez Goyoaga (Uruguay) served as Vice-Chairmen.

Documents before the Committee

3. The Committee had before it the following documents:

(a) Background documents

NPT/CONF.1995/8	Activities of IAEA relevant to article IV of the Treaty: background paper prepared by the secretariat of IAEA
NPT/CONF.1995/9	Activities of IAEA relevant to article V of the Treaty: background paper prepared by the secretariat of IAEA
NPT/CONF.1995/14	Letter dated 27 March 1995 from the Permanent Representative of Indonesia to the provisional Secretary-General of the Conference
NPT/CONF.1995/17	Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/18	Letter dated 17 April 1995 from the Permanent Representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/19	Letter dated 17 April 1995 from the alternate head of the Indonesian delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/24	Letter dated 21 April 1995 from the head of the delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference
NPT/CONF.1995/25	Letter dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference

(b) Documents submitted to the Committee

NPT/CONF.1995/MC.III/WP.1	Article IV and related issues: working paper submitted by Australia, Austria Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.III/WP.2	Working paper submitted by China

NPT/CONF.1995/MC.III/WP.3	Article IV and related issues: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.III/WP.4	Article IV and related issues: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.1995/MC.III/WP.5	Article IV and related issues: working paper submitted by Indonesia on behalf of the Group of Non-Aligned and Other States
NPT/CONF.1995/MC.III/WP.6 and Add.1	Article V: working paper submitted by Algeria, Australia, Austria, Belarus, Bulgaria, Cambodia, Canada, Colombia, Croatia, the Czech Republic, Denmark, Finland, Hungary, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Malaysia, the Marshall Islands, the Netherlands, New Zealand, Norway, Palau, Papua New Guinea, the Philippines, Poland, the Republic of Korea, Romania, Slovakia, South Africa, Sri Lanka, Sweden, Switzerland, Tonga, Tuvalu, Ukraine and Uruguay
NPT/CONF.1995/MC.III/CRP.1	Chairman's suggested indicative timetable of work
NPT/CONF.1995/MC.III/CRP.2	Technology transfer activities of IAEA in respect of technical cooperation
NPT/CONF.1995/MC.III/CRP.3	Chairman's proposal for a possible structure of discussion
NPT/CONF.1995/MC.III/CRP.4/Rev.1	Draft report of Main Committee III

Work of the Committee

4. The Committee held six meetings, from 20 April to 5 May 1995; an account of the discussion is contained in the relevant summary records (NPT/CONF.1995/MC.III/SR.1-6). At its first three meetings, it held a general exchange of views on all issues of concern to Main Committee III. After that, the Committee held nine open-ended drafting group meetings in which it considered in detail the proposals and documents submitted to it on formulations for the Final Declaration of the Conference. The fourth meeting was devoted to

a review of the progress made, while the fifth and sixth meetings were devoted to the consideration and adoption of its report to the Conference.

5. The Chairman put forward draft language for the Final Declaration which was considered in the open-ended drafting group meetings and during a series of informal consultations. He was assisted by the Vice-Chairmen and various delegations in coordinating other informal consultations to examine specific proposals.

Conclusions and recommendations

6. At its final meeting, the Committee agreed to transmit to the Conference the following formulations for the Final Declaration of the Conference:

I. TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE PEACEFUL USES OF NUCLEAR ENERGY

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence within which those uses can take place.

2. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty. The Conference recognizes that this right constitutes one of the fundamental objectives of the Treaty. In this connection, the Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.

3. The Conference also reaffirms the undertaking by all parties to the Treaty to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material, services and scientific and technological information for the peaceful uses of nuclear energy. The Conference notes the contribution that such uses can make to progress in general and to the elimination of technological and economic gaps between the developed and the developing countries.

4. The Conference notes with regret that some countries not parties to the Treaty have been able to benefit from cooperation with parties to the Treaty in a way that may have contributed to non-peaceful nuclear programmes and welcomes subsequent steps taken to rectify this situation. The Conference notes with concern that some parties to the Treaty continue, in contravention of articles I, II and III of the Treaty, to cooperate and give assistance in the nuclear field to States not parties to the Treaty, which are known to have acquired the capacity to manufacture nuclear weapons.

5. The Conference urges that in all activities designed to facilitate the peaceful uses of nuclear energy, especially in such areas as the transfer of key nuclear technology and the supply of fuel-cycle services, preferential treatment be given to the non-nuclear-weapon States parties to the Treaty that have concluded and implemented the required safeguards agreement with IAEA, taking into account in particular the needs of developing countries.

6. The Conference recognizes the importance of the concept of sustainable development as a guiding principle for the peaceful use of nuclear energy. The Conference endorses the role of IAEA in assisting Member States, upon request, in formulating projects that meet the objective of protecting the global environment by applying sustainable development approaches. The Conference recommends that IAEA continue taking this objective into account when planning its future activities. It further notes that IAEA regularly reports to the General Assembly on progress made in these fields.

7. The Conference welcomes the voluntary offer by a number of nuclear-weapon States to put their nuclear facilities under international verification, and requests that the costs due to additional safeguards activities in this area should not be at the expense of other major IAEA programmes, such as nuclear power, fuel-cycle and radioactive waste management; applications for peaceful uses of nuclear technology for health, agriculture and industry; and nuclear safety and radiation protection.

8. The Conference acknowledges the need for the parties to the Treaty to discuss regularly and follow up the implementation of article IV of the Treaty.

II. NUCLEAR SAFETY, TRANSPORT BY SEA, NUCLEAR WASTE AND LIABILITY

A. Nuclear safety

1. The Conference affirms that the Treaty can help to ensure that international cooperation in nuclear safety will take place in an appropriate non-proliferation framework. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of nuclear installations within their territories or under their jurisdiction, and the crucial importance of an adequate national infrastructure in nuclear safety, radiation protection and waste management. It notes that States are aware that accidents at nuclear installations have the potential for transboundary impact.

2. The Conference continues to endorse the concept of the fundamental importance of ensuring a high level of safety in the peaceful uses of nuclear energy. It underlines the need for countries to achieve and maintain such a high level of nuclear safety through rigorous national measures, international instruments and international cooperation. The

Conference further endorses the activities of IAEA directed towards the strengthening of nuclear safety in operating power and research reactors. Specific activities include such services as the Operational Safety Review Team (OSART), the International Peer Review Service (IPERS), the Assessment of Safety Significant Events Team (ASSET) and the Integrated Safety Assessment of Research Reactor (INSARR), the work of the International Nuclear Safety Advisory Group (INSAG) and the Nuclear Safety Standard Advisory Group (NUSSAG) in the preparation of internationally recognized guidelines, standard and codes, support to the regulatory bodies and other relevant areas of the infrastructure of IAEA member States, including through its technical assistance programmes, emergency response unit and work on transportation, as well as the work of the Standing Committee on Nuclear Liability.

3. The Conference welcomes the intensification of international cooperation in order to strengthen nuclear safety, radiation protection and waste management, including activities conducted in this area by IAEA.

4. The Conference welcomes the adoption of the Convention on Nuclear Safety, opened for signature in September 1994, and calls upon all States to adhere to it at the earliest opportunity. The Conference further appeals to signatory States that have not yet done so to complete their domestic legal procedures to permit the early entry into force of the Convention. It urges all States, even prior to the Convention's entry into force, to utilize the principles embodied in the Convention as an important basis for the safe management of their civil nuclear power programmes. The Conference commends IAEA and the signatory States for taking early steps to clarify implementation procedures for the Convention on Nuclear Safety and supports continued activity to define its peer review process. The Conference recommends all States to consider the possibility of a further convention or conventions that might strengthen safety measures for nuclear activities other than those in civil nuclear power plants.

5. The Conference recommends that States that have not yet done so establish or designate a regulatory body regarding nuclear safety. The effective separation between the functions of the regulatory body and those of any other body or organization concerned with the promotion or utilization of nuclear energy should be ensured, as stipulated in the Convention on Nuclear Safety.

6. The Conference welcomes the undertaking of parties to the Convention on Nuclear Safety to ensure that a review is conducted as soon as possible of the safety of those nuclear installations existing at the time the Convention enters into force for that contracting party which do not conform to the provisions of the Convention, and that appropriate remedial action is taken in respect of those installations.

7. The Conference urges all States that have not yet done so to become parties to the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, and the Convention on Physical Protection of Nuclear Material.

8. The Conference also considers that attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

9. The Conference underlines the importance of openness, transparency and public information, which must ensure that an unbiased assessment of the safety performance of nuclear facilities can be developed. The Conference notes the efforts of IAEA to enhance public understanding on nuclear safety, radiation protection and waste management.

B. Safe transport by sea

10. The Conference takes note of the interest of all States in any transportation of irradiated nuclear fuel, plutonium and high-level nuclear waste being conducted in a safe and secure manner and in accordance with international law. The Conference also takes note of the concerns of small island developing States and other coastal States with regard to the transportation of such materials.

11. It welcomes the adoption in 1993 of the International Maritime Organization Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Nuclear Radioactive Wastes in Flasks on Board Ships, and emphasizes that shipments must continue to meet these standards.

12. In this context, the Conference calls on States parties to continue working through the International Maritime Organization and IAEA in developing additional measures which would complement the Code, and to maintain cooperation and exchange of information among the States concerned.

13. The Conference endorses the ongoing IAEA review of safety standards for transport of nuclear material and urges States to ensure that these standards are maintained.

C. Nuclear waste

14. The Conference commends the efforts of IAEA in the field of waste management and calls upon it to strengthen those efforts in view of the increasing importance of all aspects of nuclear waste management. It endorses the preparation of a convention on the safety of radioactive waste management to be concluded as soon as possible. The Conference also endorses IAEA programmes to assist Member States in this area through Radioactive Waste Safety Standards (RADWASS) for the handling of radioactive waste, peer reviews and technical assistance activities. The Conference also invites all States to respect international norms of safety and radiation protection in the field of radioactive waste management.

15. The Conference notes the particular importance of ensuring that possible effects on human health and the environment beyond national borders are taken into account in the management of all kinds of radioactive waste, civilian as well as military.

16. The Conference recognizes the need to prohibit dumping of radioactive waste. The Conference notes the amendment, adopted in 1993 and in effect since 1994, to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention, 1972) and the effective prohibition of sea dumping of all types of radioactive waste. It calls upon all States which have not yet acceded to the London Convention to do so. The Conference endorses the continued role of IAEA within the framework of the Convention. The Conference expresses the hope that the effective implementation of the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive waste pending the conclusion of the convention on the safety of radioactive waste management mentioned above.

D. Liability

17. The Conference takes note of the proposal to hold a diplomatic conference in the first quarter of 1996 to adopt conventions which will both revise the Vienna Convention on Civil Liability for Nuclear Damage and provide an effective supplementary funding regime. The Conference supports continued efforts in the IAEA Standing Committee on Nuclear Liability towards this end. The Conference also takes note of the effort of the Nuclear Energy Agency of the Organisation for Economic Cooperation and Development (OECD) in improving the international regime of liability in case of nuclear damage. The Conference notes that effective international liability mechanisms are essential to provide compensation for nuclear-related damage which may occur during transportation of irradiated nuclear fuel, plutonium and high-level nuclear waste.

III. TECHNICAL COOPERATION

1. The Conference reaffirms the undertaking of those parties to the Treaty in a position to do so to cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world.

2. The Conference acknowledges the importance of the work of IAEA as the principal agent for technology transfer among the international organizations referred to the article IV, paragraph 2, and welcomes the successful operation of the Agency's technical assistance and cooperation programmes. The Conference records with appreciation that projects supported from those programmes covered a wide spectrum of applications,

related both to the power and non-power uses of nuclear energy, notably in agriculture and food preservation, medicine, industry, hydrology, the sciences and the environment. The Conference welcomes increased attention to radiation protection, nuclear safety and radioactive waste management. Furthermore, the Conference acknowledges with appreciation the successful scientific cooperation carried out either by IAEA itself or in collaboration with other agencies in the United Nations system.

3. The Conference notes that IAEA plays an important role in assisting developing States in the development of nuclear power. The Conference further notes the important role played by IAEA in assisting developing States in the use of non-power applications of nuclear technology. The Conference recognizes that IAEA programmes in these fields can make tangible contributions to the needs of developing countries.

4. The Conference recognizes that the resources provided to and received from States parties to the Treaty under the Agency's Technical Cooperation Fund represent an important contribution to the fulfilment of the undertakings in article IV. The Conference underlines the need to ensure that IAEA has the financial and human resources necessary in order to meet its responsibilities in the area of technical cooperation effectively. The Conference appeals to all parties to the Treaty that are members of IAEA to support this useful programme to the extent of their abilities to do so. In this context, the Conference expresses its concern about the decline in pledges and payments to the Technical Cooperation Fund. It also encourages IAEA to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources. The Conference notes the potential contribution extrabudgetary mechanisms may have in providing additional resources.

5. The Conference welcomes the continuing development and refinement of the technical assistance and cooperation programme of IAEA. In particular, it notes the recommendations of the Third IAEA Technical Cooperation Policy Review Seminar, held in September 1994. These provide policy guidance for the enhancement of nuclear cooperation through integration thereof, whenever possible, with medium-term country plans, emphasis on nuclear safety and radiation protection, and endorsement of the principle of socio-economic impact of projects.

6. The Conference commends IAEA for its efforts to enhance the effectiveness and efficiency of its technical cooperation programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient member States. The Conference notes with appreciation the decision to establish within IAEA a standing advisory group on technical assistance and cooperation to this end, and hopes that this group will start to operate soon and achieve tangible results. It further notes the development of the model project concept, the increased emphasis on end-user orientation and greater attention to regional cooperative approaches to address common needs. In this context, the Conference recommends that IAEA should further explore ways and means to strengthen its efforts by working out concrete programmes.

7. The Conference notes that the special needs and priorities of the least developed countries parties to the Treaty should be taken into account in bilateral and multilateral nuclear technical assistance and cooperation programmes. It also notes that IAEA has been giving attention to means to strengthen its programmes in least developed countries, including ways in which it might extend technical assistance to non-members of IAEA. The Conference recommends that IAEA continue, through its technical cooperation programme, to give special attention to the needs and priorities of least developed countries. The Conference underlines the needs to enhance technical cooperation between developing countries, taking into account the needs of the least developed countries.

8. The Conference encourages IAEA to continue to include the result of the 1987 study on the promotion and financing of nuclear power programmes in developing countries in its programme of work. It also recommends that IAEA continue to provide, upon request, assistance in developing concepts for securing financial assistance from outside sources for nuclear power projects in developing countries.

9. The Conference welcomes greater support for regional cooperative arrangements, promoting regionally agreed projects and mobilizing inputs from countries in the region. The Conference recognizes that regional cooperative arrangements can be an effective means of providing assistance and facilitating technology transfer, complementing the technical cooperation activities of IAEA in individual countries. It notes the contributions of the African Regional Agreement (AFRA), the Regional Cooperation Agreement for Latin America (ARCAL) and the Regional Cooperation Agreement for Asia and the Pacific (RCA).

10. The Conference notes the significant level of bilateral cooperation between States parties in the worldwide peaceful uses of nuclear energy and welcomes the reports thereon. The Conference recognizes that it is the responsibility of States parties to create the conditions to enable this cooperation, in which commercial entities play an important role. The Conference urges States in a position to do so to continue and where possible increase their cooperation in this field, particularly to developing countries and parties to the Treaty with economies in transition.

11. [The Conference expresses its regret that there exist restrictions and constraints imposed on developing non-nuclear-weapon States regarding full access to nuclear technology for peaceful purposes. Unilaterally enforced restrictive measures, beyond safeguards required under the Treaty, must not be used to prevent peaceful development, especially in the nuclear area, and should be removed. It is also essential that free and unimpeded access to peaceful nuclear technology be guaranteed, without exception, for all States parties to the Treaty that have concluded relevant safeguards agreements with IAEA.]

12. The Conference calls upon all States parties in acting in pursuance of the objectives of the Treaty to observe the legitimate rights of all States parties, particularly developing States, to have full access

to nuclear technology for peaceful purposes. Transfers of nuclear technology and international cooperation in conformity with articles I, II and III of the Treaty are to be encouraged. They would be facilitated by eliminating undue constraints that might impede such cooperation.

IV. CONVERSION OF NUCLEAR MATERIALS TO PEACEFUL USES

1. The Conference welcomes steps taken by several States parties to dismantle and destroy thousands of nuclear weapons and to convert nuclear material formerly produced for military purposes to use in peaceful activities. This represents an important precedent for linking progress in nuclear disarmament with peaceful uses of nuclear energy. This disarmament process requires strict procedures for the safe handling, storage and disposal of sensitive nuclear materials, as well as looking toward the safe management of radioactive contaminants in strict compliance with high standards of environmental protection and nuclear safety.

2. The Conference welcomes the increased attention to problems of safety and contamination related to the discontinuation of nuclear operations formerly associated with nuclear-weapon programmes, including where appropriate safe resettlement of any displaced human populations and the restoration of economic productivity to affected areas. In this regard, the Conference acknowledges the existence of a special responsibility towards those people of former United Nations Trust Territories who have been adversely affected as a result of the nuclear weapons tests conducted during the period of the Trusteeship.

3. The Conference also notes that there have been exceptional instances in which serious environmental consequences have resulted from uranium mining and associated nuclear fuel-cycle activities in the production of nuclear weapons.

4. The Conference calls upon all Governments and international organizations that have expertise in the field of cleanup and disposal of radioactive contaminants to consider giving appropriate assistance as may be requested for remedial purposes in these affected areas, while noting the efforts that have been made to date in this regard.

V. REVIEW OF ARTICLE V

1. The Conference reaffirms that article V of the Treaty was designed for each State party to undertake appropriate measures to ensure that, in accordance with the Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States parties to the Treaty on a non-discriminatory basis and that the charge to such parties for the explosive devices used will be as low as possible and exclude any charge for research and development.

2. The Conference records that the potential benefits of the peaceful applications of nuclear explosions envisaged in article V of the Treaty have not materialized. In this context, the Conference notes that the potential benefits of the peaceful applications of nuclear explosions have not been demonstrated and that serious concerns have been expressed as to the environmental consequences that could result from the release of radioactivity from such applications and on the risk of possible proliferation of nuclear weapons. Furthermore, no requests for services related to the peaceful applications of nuclear explosions have been received by IAEA since the Treaty entered into force. The Conference further notes that no State party has an active programme for the peaceful application of nuclear explosions.

3. The Conference therefore recommends that the Conference on Disarmament take this situation and future developments into account when negotiating a comprehensive nuclear test-ban treaty.

VI. REVIEW OF ARTICLE IX

1. On the occasion of the extension of the Treaty, the Conference affirms the long-held commitment of parties to the Treaty to universal membership and notes that this goal has been advanced by the rapid growth in membership since the 1990 Review Conference. The Conference also affirms the importance of the Treaty in establishing a norm of international behaviour in the nuclear field.

2. The Conference therefore calls on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards on all their nuclear activities. These States are Angola, Brazil, Chile, the Comoros, Cuba, Djibouti, India, Israel, Oman, Pakistan, the United Arab Emirates and Vanuatu. In this context the Conference welcomes the recent announcements by Chile and Vanuatu of their intention to adhere to the Treaty in due course. It also welcomes Brazil's acceptance of comprehensive IAEA safeguards under the Treaty of Tlatelolco.

3. The Conference particularly urges those non-parties to the Treaty which operate unsafeguarded sensitive nuclear facilities - India, Israel and Pakistan - to take such action and affirms the important contribution this would make to regional and global security.

4. In this connection, the Conference underlines the necessity, in order to facilitate universal adherence to the Treaty, of strict compliance by all existing parties with their obligations under the Treaty.

5. The Conference requests the President of the Conference to convey formally the views of States parties on this issue to all non-parties and to report their responses to the parties. Such efforts should contribute to enhancing the universality of the Treaty and the adherence of non-parties to it.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.1
24 April 1995

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New York
17 April-12 May 1995

ARTICLE IV AND RELATED ISSUES

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

The Treaty on the Non-Proliferation of Nuclear Weapons and the peaceful uses of nuclear energy

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence within which those uses can take place.

2. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purpose without discrimination and in conformity with articles I and II of the Treaty. In this context, the Conference confirms each country's right to make decisions concerning the peaceful uses of nuclear energy taking into account the potential for transboundary impact.

3. The Conference also reaffirms that all parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material, services and scientific and technological information for the peaceful uses of nuclear energy. In this context, the Conference recognizes the importance of the concept of sustainable development as a guiding principle for all peaceful uses of nuclear energy, and notes the contribution that such uses can make to progress in general and to the elimination of technological gaps between the developed and developing countries.

4. The Conference recognizes the importance of the United Nations Conference on Environment and Development held at Rio de Janeiro in 1992 and the tasks summarized in Agenda 21. The Conference recommends that the International Atomic Energy Agency (IAEA), to the extent possible, redirect its programme in keeping with the promotion of sustainable development and the improvement of the environment. The Conference endorses the role of IAEA in assisting member States in formulating projects that meet the objectives of protecting the global environment by applying sustainable development approaches. The Conference further notes that IAEA regularly reports to the General Assembly on progress made in these fields.

5. The Conference urges that in all activities designed to facilitate the peaceful uses of nuclear energy, preferential treatment be given to the non-nuclear States parties to the Treaty that have concluded the required safeguards agreement with IAEA, taking into account particularly the needs of developing countries.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.2
25 April 1995

ORIGINAL: ENGLISH AND CHINESE

New York, 17 April-12 May 1995

Working paper submitted by China

1. To use nuclear energy for peaceful purposes and to carry out international cooperation in this field is the inalienable right of all States. As one of the major objectives of the Treaty on the **Non-Proliferation** of Nuclear Weapons, it should be accorded the same importance as other provisions of the Treaty. It is also an important element for striking a balance between the rights and obligations through such cooperation.

2. International cooperation in the peaceful uses of nuclear energy is conducive to the socio-economic development of all States. States that are in a position to do so should contribute to such cooperation in order to assist the developing countries in mastering the technology for the peaceful uses of nuclear energy and to eliminate the technical gaps between the developed and developing countries, thus harnessing nuclear energy for the benefit of mankind as a whole.

3. The International Atomic Energy Agency (IAEA) has an important role to play in promoting international cooperation in the peaceful uses of nuclear energy and in providing technical assistance to and cooperating with the developing countries. IAEA should further explore ways and means to strengthen its efforts by working out concrete programmes. In this regard, the Conference notes with appreciation the establishment, by the Director General of IAEA, of the Standing Advisory Group on Technical Assistance and Cooperation and hopes that this Group will start to operate soon and achieve tangible results.

4. The prevention of the proliferation of nuclear weapons should facilitate the exercise of the legitimate rights of the developing countries to use nuclear energy for peaceful purposes. It should not hamper the peaceful uses of nuclear energy or international cooperation in this regard. The unreasonable restrictions on the transfer of nuclear energy technology should be removed. It is unacceptable, under the pretext of preventing the proliferation of nuclear weapons, to restrain or impede the efforts of developing countries for the peaceful uses of nuclear energy.

5. In the application of nuclear energy for peaceful purposes, due attention should be given to environmental protection and nuclear safety, and States themselves should be primarily responsible for maintaining nuclear safety. In doing so, they should observe the principles established in the Convention on Nuclear Safety, while taking into account the safety standards set up by IAEA.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.3
24 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE IV AND RELATED ISSUES

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

COOPERATION IN THE PEACEFUL USE OF NUCLEAR ENERGY

Undertaking to cooperate

1. The Conference reaffirms the undertaking of those parties to the Treaty in a position to do so to cooperate in contributing individually or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world.

International Atomic Energy Agency

2. The Conference acknowledges the importance of the work of the International Atomic Energy Agency (IAEA) as the principal agent for technology transfer among the international organizations referred to in article IV, paragraph 2, and welcomes the successful operation of the Agency's technical assistance and cooperation programmes. The Conference records with appreciation that projects supported from those programmes covered a wide spectrum of applications, related both to the power and non-power uses of nuclear energy, notably in agriculture and food preservation, medicine, industry and hydrology. The Conference welcomes increased attention to radiation protection, nuclear safety and radioactive waste management. Furthermore, the Conference acknowledges with appreciation the successful scientific cooperation either carried out by IAEA itself or in collaboration with other organizations of the United Nations system. The Conference commends the efforts of IAEA to enhance public understanding on all aspects of the peaceful uses of nuclear energy.

3. The Conference notes that IAEA plays an important role in assisting developing countries in the development of nuclear power. The Conference further notes the important role played by IAEA in assisting developing countries in the use of non-power applications of nuclear technology. The Conference recognizes that IAEA programmes in the fields of food and agriculture, human health, the sciences and the environment can make tangible

contributions to the needs of developing countries and to the elimination of technological gaps between the developed and developing countries.

4. The Conference recognizes that the resources provided to and received from States parties under the Agency's Technical Assistance and Cooperation Fund represent an important contribution to the fulfilment of the undertakings in article IV. The Conference underlines the need to ensure that IAEA has the financial and human resources necessary to meet effectively its responsibilities in the area of technical cooperation.

5. The Conference welcomes the continuing development and refinement of the IAEA technical assistance and cooperation programme. In particular it notes the recommendations made by the IAEA Board of Governors as a result of the Third Technical Cooperation Policy Review Seminar, held in September 1994. These provide policy guidance for the enhancement of nuclear cooperation, in response to emerging challenges, through its integration with medium-term country plans, emphasis on nuclear safety and radiation protection, and endorsement of the principle of socio-economic impact of projects.

6. The Conference commends the IAEA secretariat for its efforts to enhance the effectiveness and efficiency of the Agency's technical cooperation programme and to ensure the continuing relevance of the programme to the changing circumstances and needs of recipient member States. The Conference notes the decision of the Director General of IAEA to establish a Standing Advisory Group on Technical Assistance and Cooperation to this end. It further notes the development of the model project concept, the increased emphasis on end-user orientation, and greater attention to regional cooperative approaches to address common needs.

Least developed countries

7. The Conference notes that the special needs and priorities of the least developed countries parties to the Treaty should be taken into account in bilateral and multilateral nuclear technical assistance and cooperation programmes. It also notes that IAEA has been giving attention to means to strengthen its programmes in least developed countries. The Conference recommends that IAEA continue, through its technical cooperation programme, to give special attention to the needs and priorities of the least developed countries.

Regional cooperation

8. The Conference welcomes greater support for regional cooperative arrangements, promoting regionally agreed projects and mobilizing inputs from countries in the region. The Conference recognizes that regional cooperative arrangements can be an effective means of providing assistance and facilitating technology transfer, complementing the technical cooperation activities of IAEA in individual countries. It notes the contributions of the African Regional Agreement, the Regional Cooperation Agreement for Latin America and the Regional Cooperation Agreement for Asia and the Pacific.

Bilateral cooperation

9. The Conference notes the significant level of bilateral cooperation between States parties in the peaceful uses of nuclear energy, and welcomes the reports thereon. The Conference notes the important role commercial entities play in fostering the world-wide peaceful uses of nuclear energy. The Conference urges that States in a position to do so should continue and where possible increase the level of their cooperation in these fields, particularly to developing countries parties to the Treaty.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.4
26 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE IV AND RELATED ISSUES

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden

PARAMETERS FOR THE PEACEFUL USE OF NUCLEAR ENERGY

Nuclear safety

1. The Conference affirms that the Treaty on the Non-Proliferation of Nuclear Weapons can help to ensure that international cooperation in nuclear safety will take place in an appropriate non-proliferation framework. The Conference acknowledges the primary responsibility of individual States for the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an adequate national infrastructure in nuclear safety, radiological protection and waste management for the peaceful application of nuclear energy.

2. The Conference continues to endorse the concept of the fundamental importance of ensuring the highest standards of safety in the peaceful uses of nuclear energy. It further endorses the activities of the International Atomic Energy Agency (IAEA) directed towards the strengthening of nuclear safety in operating power and research reactors. Specific activities include the international peer review services, such as the Operational Safety Review Team (OSART), the International Peer Review Service (IPERS), the Assessment of Safety Significant Events Team (ASSET) and the Integrated Safety Assessment of Research Reactor (INSARR), the work of the International Safety Advisory Group in the preparation of internationally recognized guidelines and codes, the support to the regulatory bodies and other relevant areas of the infrastructure of member States through technical assistance programmes, the emergency response unit, the work on transportation and the work of the Standing Committee on Nuclear Liability.

3. The Conference welcomes the intensification of international cooperation in order to strengthen nuclear safety and radiological protection, mainly under the auspices of IAEA.

4. The Conference welcomes and endorses the Convention on Nuclear Safety and urges all States to accede to it. It would also welcome a voluntary extension of the Convention to areas beyond operating power plants.

5. The Conference welcomes the undertaking of parties to the Convention on Nuclear Safety to ensure that the safety of nuclear installations existing at the time the Convention enters into force for a contracting party is reviewed as soon as possible, and to take remedial action when necessary.

6. The Conference urges all States which have not yet done so to accede to the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the Convention on Physical Protection of Nuclear Material.

Nuclear waste

7. The Conference welcomes the reversal and transformation of the nuclear-arms race into a process of nuclear-arms control and disarmament. Over the next decade, thousands of nuclear weapons are scheduled for dismantling and destruction. This disarmament process requires strict procedures for the safe handling and storage of nuclear weapons components and weapons-grade fissile material in order to prevent the material from falling into the wrong hands and in order to take major environmental concerns into account.

8. The Conference underlines the importance of establishing internationally accepted standards for the safe management and storage of radioactive waste from military as well as civilian activities.

9. The Conference commends the efforts of IAEA in waste management, and calls upon IAEA, in view of the increasing importance of all aspects of nuclear waste management, to strengthen its efforts in this field. It endorses the preparations for a waste management safety convention and the IAEA programmes to assist Member States in this area through safety standards for the handling of radioactive waste, peer reviews and technical assistance activities.

10. The Conference notes the amendment to the London Dumping Convention and the effective prohibition of sea dumping of all types of radioactive waste. It calls upon all States which have not yet acceded to the London Dumping Convention, as amended, to do so. The Conference endorses the continued role of IAEA as the competent international body for the Convention, and its additional role in the international Arctic Seas Assessment Project.

Liability

11. The Conference welcomes the decision to hold a diplomatic conference in the first half of 1996 to adopt conventions which will both revise the Vienna Convention on Civil Liability for Nuclear Damage and provide an effective supplementary funding regime. The Conference supports continued efforts in the IAEA Standing Committee on Nuclear Liability towards this end.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.5
28 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE IV AND RELATED ISSUES

Working paper submitted by Indonesia on behalf of the Group of Non-Aligned and Other States

1. The Conference reiterates that in accordance with article IV, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, all States parties to the Treaty have the inalienable right to apply and develop their programmes for the peaceful uses of nuclear energy for economic and social development in conformity with their priorities, interests and needs.

2. The Conference reconfirms the significance of the peaceful uses of nuclear energy for economic development and its important role in accelerating the growth of developing countries. This can greatly contribute to progress in general and to the elimination of technological and economic gaps between the developed and developing countries.

3. The Conference stresses that within the framework of article IV, paragraph 2, of the Treaty, all parties to the Treaty have the right to participate in the fullest possible exchange of equipment, materials, services and scientific and technological information and to contribute, alone or in cooperation with other States, to the further development of nuclear energy for peaceful purposes. To this end, it is indispensable to ensure that the transfer of nuclear technology for peaceful purposes, including the latest achievements, is not unduly hindered, particularly for the benefit of developing countries.

4. The Conference confirms that each country's choice and decision in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international agreements and contracts on cooperation for peaceful uses of nuclear energy.

5. The Conference expresses concern that the implementation of the seventh preambular paragraph and of article IV of the Treaty fell short of the needs of a number of countries to implement programmes for the peaceful uses of nuclear energy, while for other countries there have been no significant constraints in the development of their programmes, and regrets that other countries not parties to the Treaty were able to benefit from cooperation with other States parties to the Treaty.

6. The Conference notes with concern that instead of facilitating the fullest exchange of equipment, materials and scientific and technological information for peaceful purposes to non-nuclear-weapon States parties to the Treaty, and particularly developing countries, as called for in the Treaty, some States parties to the Treaty continue to cooperate and give assistance in the nuclear field to States not parties to the Treaty, which are known to have acquired the capability to manufacture nuclear weapons.

7. The Conference expresses its regret that there exist restrictions and constraints imposed on developing non-nuclear-weapon States regarding full access to nuclear technology for peaceful purposes. Unilaterally enforced restrictive measures, beyond safeguards required under the Treaty, must not be used to prevent peaceful development, especially in the nuclear area, and should be removed. It is also essential that free and unimpeded access to peaceful nuclear technology be guaranteed, without exception, for all States parties to the Treaty who have concluded relevant safeguards agreements with the International Atomic Energy Agency (IAEA).

8. The Conference notes with appreciation the positive steps taken by South Africa by abandoning its nuclear weapons programme and acceding to the Treaty. The Conference still expresses great and serious concern about the nuclear capabilities of the threshold States and stresses that the development of such capabilities would undermine the credibility and stability of the Treaty regime. In this context, the Conference demands all States to suspend any cooperation that would contribute to the nuclear programmes of these States, and demands the threshold States to accede to the Treaty, to subject all their nuclear facilities to IAEA safeguards and to pledge not to manufacture or acquire nuclear weapons or other nuclear explosive devices.

9. The Conference reaffirms the responsibility of nuclear supplier States parties to the Treaty to promote the legitimate needs for nuclear energy of all the States parties to the Treaty, with preferential treatment rendered to developing States parties, by allowing the latter to participate in the fullest possible transfer of nuclear equipment, materials and scientific and technological information with a view to achieving the largest benefits and applying pertinent elements of sustainable development in their activities.

10. The Conference notes that the IAEA Committee on Assurances of Supply has been able to consider ways and means in which supplies of nuclear materials, equipment and technology and fuel cycle services can be assured on a more predictable and longer-term basis in accordance with mutually acceptable considerations of non-proliferation, and, in that context, was able to identify a number of emerging industrial States in the field of nuclear technology. On the other hand, the Conference regrets, that the Committee on Assurances of Supply has not succeeded in reaching agreement on a set of principles for international cooperation. The Conference acknowledges the need for setting up United Nations mechanisms to provide a forum for parties to the Treaty to discuss regularly the implementation of article IV of the Treaty.

11. The Conference underlines the need to enhance technical cooperation between developing countries, taking into account the needs of the least developed countries.

12. The Conference notes that IAEA plays an important role in assisting developing States in the development of nuclear power and encourages IAEA to continue to include the required components identified in the study in its programme of work. It also recommends that IAEA continue to provide upon request assistance in securing financing from outside sources for nuclear power projects in developing countries.

13. The Conference commends the role and activities of IAEA in the field of technical cooperation for the peaceful uses of nuclear energy, for the benefit of developing countries in particular. The Conference strongly urges donor countries to facilitate access to peaceful uses of nuclear technology to States parties to the Treaty through the Technical Cooperation Fund of IAEA, calls upon all parties to honour their commitments and negotiate, in good faith, the target for the Technical Cooperation Fund, and, finally, calls upon parties to consider and establish a new financing method, which should assure the availability of adequate and predictable resources, and which should be complemented by sufficient relevant manpower.

14. The Conference welcomes the voluntary offer by a number of nuclear-weapon States to put their nuclear facilities to international verification, and requests that the inherent costs resulting from these additional safeguards activities should not be at the expense of other IAEA major programmes, such as nuclear power, fuel cycle and radioactive waste management; applications for peaceful uses of nuclear technology for health, agriculture and industry; and nuclear safety and radiation protection. In this context, the Conference notes the intention of IAEA to establish a standing advisory group on technical cooperation.

15. The Conference especially recognizes the importance of the work of IAEA in the areas of radiological protection and nuclear safety, and urges States parties to the Treaty which have not yet done so, to become signatories to the Convention on Nuclear Safety, which was adopted in 1994 with a view to creating an appropriate safety culture.

16. The Conference reaffirms that any attack or threat of attack against peaceful nuclear facilities would entail highly dangerous political, economic and environmental implications. The Conference believes that the parties bear a solemn responsibility towards the establishment of comprehensive and universal norms and standards specifically prohibiting attacks, or threats of attack, against all peaceful nuclear facilities.

17. The Conference expresses the hope that the effective implementation of the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive waste pending the negotiation of an international convention on the management of such wastes with a view of convening a diplomatic conference in 1996.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.6
3 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE V

Working paper submitted by Algeria, Australia, Austria, Belarus, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, Hungary, Indonesia, Ireland, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Malaysia, the Netherlands, New Zealand, Norway, Papua New Guinea, the Philippines, the Republic of Korea, Romania, Slovakia, South Africa, Sri Lanka, Sweden and Ukraine

1. The Conference reaffirms that article V of the Treaty on the Non-Proliferation of Nuclear Weapons was designed for each State party to undertake appropriate measures to ensure that, in accordance with the Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions would be made available to non-nuclear-weapon States party to the Treaty on a non-discriminatory basis and that the charge to such parties for the explosive devices used would be as low as possible and exclude any charge for research and development.

2. The Conference records that the potential benefits of the peaceful application of nuclear explosions envisaged in article V of the Treaty have not eventuated for non-nuclear-weapon States party to the Treaty. In this context, the Conference notes that the potential benefits of the peaceful applications of nuclear explosions have not been demonstrated and that serious concerns have been expressed on the environmental consequences that could result from the release of radioactivity from such applications and on the risk of possible proliferation of nuclear weapons. Furthermore, no requests for services related to the peaceful applications of nuclear explosions have been received by the International Atomic Energy Agency since the Treaty entered into force. The Conference also notes that no State party has an active programme for the peaceful application of nuclear explosions.

3. The Conference therefore recommends that the Conference on Disarmament take this situation into account when negotiating a comprehensive nuclear-test-ban treaty. The Conference considers a ban on all kinds of nuclear explosions not to constitute a detriment to the peaceful utilization of nuclear energy.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.III/WP.6/Add.1
9 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

ARTICLE V

Working paper submitted by Algeria, Australia, Austria, Belarus, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, Hungary, Indonesia, Ireland, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Malaysia, the Netherlands, New Zealand, Norway, Papua New Guinea, the Philippines, the Republic of Korea, Romania, Slovakia, South Africa, Sri Lanka, Sweden and Ukraine

Addendum

Add the following countries to those which submitted the working paper:

Bulgaria, Colombia, Japan, the Marshall Islands, Palau, Poland, Switzerland, Tonga, Tuvalu and Uruguay

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/DC/1
16 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF THE DRAFTING COMMITTEE

1. In accordance with rule 36 of the rules of procedure, the Conference established a Drafting Committee composed of representatives of the following States parties: Algeria, Australia, Austria, Bangladesh, Belarus, Bulgaria, Cameroon, Canada, China, Colombia, Congo, Czech Republic, Egypt, Finland, France, Hungary, Indonesia, Iran (Islamic Republic of), Japan, Malaysia, Mali, Mexico, Netherlands, Nigeria, Norway, Peru, Poland, Romania, Russian Federation, Slovakia, South Africa, Sri Lanka, Sweden, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela. Rule 36 also stipulates that representatives of other delegations may attend the meetings of the Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

2. The Committee met under the chairmanship of Mr. Tadeusz Strulak (Poland); Mr. Pasi Patokallio (Finland) and Mr. Nabil Fahmy (Egypt) served as Vice-Chairmen.

3. The Committee held 11 meetings, from 28 April to 12 May.

4. The Committee had before it the reports of Main Committees I, II and III (NPT/CONF.1995/MC.1/1, NPT/CONF.1995/MC.II/1 AND NPT/CONF.1995/MC.III/1 respectively), including all the relevant documents listed therein. The Drafting Committee recalls that the Conference, at its 14th and 15th meetings, took note of the reports of the Main Committees of the Conference.

5. The Drafting Committee gave careful and thorough consideration to the reports of the Main Committees and to the various proposals put forward by delegations. Strenuous efforts were made to achieve a consensus final declaration reflecting the common position of all States parties. The Drafting Committee tried to broaden the area of agreement on a great number of issues dealt with by the Main Committees, but in the end consensus could not be achieved. Under these circumstances, the Drafting Committee was unable to agree on a draft Final Declaration for adoption by the Conference.

6. The Drafting Committee also considered, and agreed to recommend to the Conference for adoption, the draft Final Document as contained in the annex to the present report.

Annex

DRAFT FINAL DOCUMENT OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

ORGANIZATION AND WORK OF THE CONFERENCE

Introduction

1. At its forty-seventh session the General Assembly of the United Nations, in its resolution 47/52 A, took note of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons, following appropriate consultations, to form a preparatory committee for a conference to review the operation of the Treaty and to decide on its extension, as called for in article X, paragraph 2, and also provided for in article VIII, paragraph 3, of the Treaty.

2. The Preparatory Committee held four sessions: the first in New York from 10 to 14 May 1993, the second in New York from 17 to 21 January 1994, the third in Geneva from 12 to 16 September 1994 and the fourth in New York from 23 to 27 January 1995. Progress reports on the first three sessions of the Committee were issued as documents NPT/CONF.1995/PC.I/2, NPT/CONF.1995/PC/II/3 and NPT/CONF.1995/PC.III/15, respectively.

3. Pursuant to the request of the Preparatory Committee, the Secretariat of the United Nations, the International Atomic Energy Agency, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and the South Pacific Forum prepared a number of background papers, which were submitted to the Conference as background documents as follows:

(a) By the Secretariat of the United Nations:

Developments since the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons towards the realization of the purposes of the tenth preambular paragraph of the Treaty (NPT/CONF.1995/2)

Implementation of articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/3)

Developments since the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons relating to article VI of the Treaty (NPT/CONF.1995/4)

Implementation of article VII of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/5 and Corr.1)

Developments with regard to effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (NPT/CONF.1995/6)

Other activities relevant to article III (NPT/CONF.1995/7/Part II)

(b) By the International Atomic Energy Agency:

Activities of the International Atomic Energy Agency relevant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/7/Part I)

Activities of the International Atomic Energy Agency relevant to article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/8)

Activities of the International Atomic Energy Agency relevant to article V of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/9)

(c) By the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean:

Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/10 and Add.1)

(d) By the South Pacific Forum secretariat:

South Pacific Nuclear-Free Zone Treaty (NPT/CONF.1995/11).

4. The final report of the Preparatory Committee for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.1995/1) was issued as a document of the Conference prior to its opening. The report included, inter alia, the provisional agenda for the Conference, a proposed allocation of items to the Main Committees of the Conference, the draft rules of procedure and a schedule for the division of costs of the Conference.

Organization of the Conference

5. In accordance with the decision of the Preparatory Committee, the Conference was convened on 17 April 1995 at United Nations Headquarters in New York. After the opening of the Conference by Mr. Pasi Patokallio of Finland, Chairman of the fourth session of the Preparatory Committee, the Conference elected by acclamation as its President Mr. Jayantha Dhanapala of Sri Lanka. The Conference also unanimously confirmed the nomination of Mr. Prvoslav Davinic, Director of the United Nations Centre for Disarmament Affairs, as Secretary-General of the Conference.

6. At the same meeting, H.E. Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, and H.E. Mr. Hans Blix, Director General of the International Atomic Energy Agency, addressed the Conference. The Hon. Warren E. Christopher, Secretary of State of the United States of America, welcomed the participants on behalf of the host country.

7. At the opening meeting, the Conference adopted its agenda and the allocation of items to the Main Committees of the Conference as proposed by the Preparatory Committee (NPT/CONF.1995/1).

8. At its 16th meeting, on 10 May 1995, the Conference adopted the rules of procedure (NPT/CONF.1995/28).

9. The rules of procedure provided for the establishment of three Main Committees, a general committee, a drafting committee and a credentials committee.

10. The Conference unanimously elected the Chairmen and Vice-Chairmen of the three Main Committees, the Drafting Committee and the Credentials Committee, as follows:

Main Committee I	Chairman	Mr. Isaac E. Ayewah (Nigeria)
	Vice-Chairman	Mr. Richard Starr (Australia)
	Vice-Chairman	Mr. Anatolia M. Zlenko (Ukraine)
Main Committee II	Chairman	Mr. André Erdős (Hungary)
	Vice-Chairman	Mr. Enrique de la Torre (Argentina)
	Vice-Chairman	Mr. Rajab Sukayri (Jordan)
Main Committee III	Chairman	Mr. Jaap Ramaker (Netherlands)
	Vice-Chairman	Mr. Yanko Yanes (Bulgaria)
	Vice-Chairman	Mr. Gustavo Alvarez Goyoaga (Uruguay)
Drafting Committee	Chairman	Mr. Tadeusz Strulak (Poland)
	Vice-Chairman	Mr. Nabil Fahmy (Egypt)
	Vice-Chairman	Mr. Pasi Patokallio (Finland)
Credentials Committee	Chairman	Mr. Andelfo Garcia (Colombia)
	Vice-Chairman	Mr. Alyaksandr Sychou (Belarus)
	Vice-Chairperson	Ms. Mary Elizabeth Hoinkes (United States of America)

11. The Conference also unanimously elected 33 vice-presidents from the following States parties: Algeria, Australia, Austria, Bangladesh, Belarus, Bulgaria, Cameroon, Canada, China, Congo, Czech Republic, Finland, France, Indonesia, Iran (Islamic Republic of), Japan, Malaysia, Mali, Mexico, Norway, Peru, Romania, Russian Federation, Slovakia, South Africa, Sweden, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela.

12. The Conference appointed representatives from the following States parties as members of the Credentials Committee: Armenia, Germany, Italy, Lesotho, Lithuania and Myanmar.

Participation in the Conference

13. One hundred and seventy-five States parties to the Treaty on the Non-Proliferation of Nuclear Weapons participated in the Conference as follows: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zaire, Zambia and Zimbabwe.

14. In accordance with subparagraph 1 (a) of rule 44, 10 States not parties to the Treaty, namely Angola, Brazil, Chile, Cuba, Djibouti, Israel, Oman, Pakistan, United Arab Emirates and Vanuatu, attended the Conference as observers.

15. In accordance with subparagraph 1 (b) of rule 44, Palestine was granted observer status.

16. The United Nations and the International Atomic Energy Agency participated in the Conference in accordance with paragraph 2 of rule 44.

17. In accordance with paragraph 3 of rule 44, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the European Community, the League of Arab States, the South Pacific Forum, the International Committee of the Red Cross, the Nuclear Energy Agency of the Organization for Economic Cooperation and Development, the North Atlantic Assembly, the Organization of African Unity and the Organization of the Islamic Conference were granted observer agency status.

18. One hundred and ninety-five research institutes and non-governmental organizations attended the Conference in accordance with paragraph 4 of rule 44.

19. A list of all delegations to the Conference, including States parties, observers, the United Nations and the International Atomic Energy Agency, observer agencies and research institutes and non-governmental organizations, is contained in annex ... to the present document.

20. The Credentials Committee held four meeting and, on 9 May 1995, adopted its report to the Conference on the credentials of States parties (NPT/CONF.1995/CC/1). At its 16th plenary meeting, on 10 May, the Conference took note of the report.

Financial arrangements

21. At its 16th plenary meeting, the Conference decided to adopt the cost-sharing formula proposed by the Preparatory Committee in the appendix to rule 12 of the rules of procedure. The final schedule of costs as contained in document NPT/CONF.1995/29 was based on the actual participation of States parties in the Conference.

Work of the Conference

22. The Conference held 19 plenary meetings between 17 April and 12 May 1995, when it concluded its work.

23. The general debate in the plenary, in which 116 States parties took part, was held from 18 to 25 April.

24. Main Committee I held 12 meetings between 19 April and 6 May 1995. Its report (NPT/CONF.1995/MC.I/1) was submitted to the Conference at the 15th meeting on 8 May 1995. Main Committee II held 10 meetings between 19 April and 5 May 1995. Its report (NPT/CONF.1995/MC/II/1) was submitted to the Conference at the 14th meeting on 5 May 1995. Main Committee III held 6 meetings between 20 April and 5 May 1995. Its report (NPT/CONF.1995/MC.III/1) was submitted to the Conference at the 14th meeting on 5 May 1995. The reports of the three Main Committees as submitted to the Conference constitute part of the Final Document.

25. The Drafting Committee met in the period from 28 April to 12 May 1995. Its report (NPT/CONF.1995/DC/1) was submitted to the Conference at the 19th meeting on 12 May 1995. At that meeting, the Conference took note of the report.

Documentation

26. A list of the documents of the Conference is attached as annex ....

Conclusions of the Conference

27. At its 19th plenary meeting, on 12 May 1995, the Conference, notwithstanding extensive consultations and considerable effort, was unable to adopt a final declaration on the review of the operation of the Treaty.

28. In connection with agenda item 19, entitled "Decision on the extension of the Treaty as provided for in article X, paragraph 2", the Conference had before it the following proposals:

(a) A draft resolution submitted by Mexico (NPT/CONF.1995/L.1/Rev.1);

(b) A draft decision submitted by Canada, on behalf of Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, the Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Bulgaria, Cambodia, Cameroon, the Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, the Marshall Islands, the Federated States of Micronesia, Monaco, Mongolia, the Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Turkey, Turkmenistan, Tuvalu, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan (NPT/CONF.1995/L.2), which was later also sponsored by Guyana, Haiti, Nauru, Nepal, the Philippines, Suriname, Venezuela and Zaire;

(c) A draft decision submitted by Indonesia, also on behalf of the Democratic People's Republic of Korea, the Islamic Republic of Iran, Jordan, Malaysia, Mali, Myanmar, Nigeria, Papua New Guinea, Thailand and Zimbabwe (NPT/CONF/1995/L.3), which was later also sponsored by Ghana, the United Republic of Tanzania and Zambia.

29. The Conference had before it also the following draft decisions proposed by the President:

(a) A draft decision entitled "Strengthening the review process for the Treaty" (NPT/CONF.1995/L.4);

(b) A draft decision entitled "Principles and objectives for nuclear non-proliferation and disarmament" (NPT/CONF.1995/L.5);

(c) A draft decision entitled "Decision on the extension of the Treaty" (NPT/CONF.1995/L.6).

30. At its 17th plenary meeting, on 11 May 1995, the Conference decided to take action on the three draft decisions proposed by the President as follows:

(a) NPT/CONF.1995/L.4 was adopted without a vote;

(b) NPT/CONF.1995/L.5 was adopted without a vote;

(c) NPT/CONF.1995/L.6 was adopted without a vote.

The text of these decisions is contained in annex ... to the present document.

31. Consequently, the sponsors of draft resolution NPT/CONF.1995/L.1/Rev.1, of draft decision NPT/CONF.1995/L.2 and of draft decision NPT/CONF.1995/L.3 did not pursue action with regard to their specific proposals.

32. In connection with rule 24 of the rules of procedure, i.e. submission of other proposals, the Conference had before it a draft resolution sponsored by Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, the Libyan Arab Jamahiriya, Mauritania, Morocco, Qatar, Saudi Arabia, the Sudan, Tunisia and Yemen contained in document NPT/CONF.1995/L.7 and a draft resolution sponsored by the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America contained in document NPT/CONF.1995/L.8.

33. At its 17th meeting, the Conference adopted draft resolution NPT/CONF.1995/L.8, as orally amended, without a vote. The text of the resolution is contained in annex ... to this document. The sponsors of draft resolution NPT/CONF.1995/L.7 did not pursue action with regard to their proposal.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/CC/1
10 May 1995

ORIGINAL: ENGLISH

New York, 17 April–12 May 1995

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE

Final report of the Credentials Committee

1. Rule 3 of the rules of procedure of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as provisionally applied, provides:

> "The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay."

2. In accordance with rule 5 of its rules of procedure, the Conference unanimously elected Mr. Andelfo J. García (Colombia) as Chairman of the Credentials Committee and Ms. Mary Elizabeth Hoinkes (United States of America) and Mr. Alyaksandr M. Sychou (Belarus) as Vice-Chairmen of the Committee.

3. In accordance with rule 3 of the rules of procedure, the Conference, on the proposal of the President, appointed the following countries as members of the Credentials Committee: Armenia, Germany, Italy, Lesotho, Lithuania and Myanmar.

4. The Committee held its first and second meetings on 21 and 27 April 1995 to examine the credentials received as at those dates. The Committee had before it two memoranda of the Secretary-General of the Conference, dated 21 and 27 April, containing information on the status of the credentials of the representatives of the States parties attending the Conference. Pursuant to the request in rule 3 that the Committee report to the Conference without delay, at the 14th plenary meeting, on 5 May, the Chairman, on behalf of the Committee, introduced an interim report of the Committee to the Conference (NPT/CONF.1995/CC/L.1).

5. Also at its second meeting, the Committee noted the information relayed by the Secretary-General of the Conference and requested the Chairman to invite those States parties that had not yet done so to submit to the Secretary-General of the Conference the credentials of their representatives in accordance with rule 2 of the rules of procedure. The Committee's request was communicated by the Chairman to the States parties through a note (NPT/CONF.1995/INF/6).

Further, those delegations which had only presented a designation of their representatives to the Conference or which had presented no written communication were contacted directly to remind them of the terms of rule 2 regarding the presentation of their credentials.

6. At its third and fourth meetings, on 4 and 9 May, the Committee had before it memoranda from the Secretary-General of the Conference which gave updated information on the status of the credentials of the representatives of States parties participating in the Conference.

7. Having examined the information contained in those memoranda, and other credentials it received subsequently, the Committee noted that, as at 11 a.m. on 10 May 1995:

(a) Formal credentials in due form, as provided for by rule 2 of the rules of procedure, had been communicated to the Secretary-General of the Conference for representatives from the following 136 States parties:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Holy See, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Venezuela, Viet Nam, Zaire, Zambia and Zimbabwe;

(b) Credentials of the representatives of the following 35 States parties had been communicated to the Secretary-General of the Conference in the form of telefax copy from their Foreign Ministers:

Albania, Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Cape Verde, Chad, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Dominica, Dominican Republic, Egypt, Equatorial Guinea, Georgia, Guinea, Guinea-Bissau, Honduras, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Malawi, Marshall Islands, Mauritania, Nauru, Niger, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Tajikistan, Togo, Turkmenistan, United Republic of Tanzania and Uruguay;

(c) The designation of the representatives of the following four States parties had been communicated to the Secretary-General of the Conference by letters or telefaxes from their Permanent Missions in New York:

Burundi, Gambia, Tuvalu, and Yemen.

8. On the proposal of the Chairman, the Committee agreed to accept the credentials of those States parties referred to in paragraph 7 (a) and (b), on the understanding that the originals of the credentials of the representatives of those States referred to in paragraph 7 (b) would be submitted as soon as possible, in accordance with the terms of rule 2 of the rules of procedure.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/CC/1/Add.1
2 June 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE

Final report of the Credentials Committee

Addendum

Following the issuance of the final report of the Credentials Committee, formal credentials in due form, as provided for by rule 2 of the rules of procedure, were submitted to the Secretary-General of the Conference for representatives from the following States parties:

> Albania, Azerbaijan, Burkina Faso, Chad, Côte d'Ivoire, Dominica, Lao People's Democratic Republic, Lebanon, Liberia, Marshall Islands, Nauru, Saint Kitts and Nevis, Togo, Turkmenistan, Tuvalu, United Republic of Tanzania and Uruguay.

LIST OF PARTICIPANTS

I. STATES PARTIES

AFGHANISTAN

Address:	Permanent Mission of the Islamic State of Afghanistan to the United Nations 369 Lexington Avenue, 19th Floor, New York, N.Y. 10017
Telephone:	(212) 972-1212

Mr. Ravan A. G. Farhadi	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Mohammad Azam Arsalai	Counsellor Permanent Mission
Mr. Mohammad Yunus Bazel	First Secretary Permanent Mission

ALBANIA

Address:	Permanent Mission of the Republic of Albania to the United Nations 320 East 79th Street, New York, N.Y. 10021
Telephone:	(212) 249-2059

Mr. Pellumb Kulla	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Saimir Repishti	Second Secretary Permanent Mission
Mr. Sokol Braha	Second Secretary Permanent Mission

ALGERIA

Address: Permanent Mission of Algeria to the United Nations
326 East 48th Street, New York, N.Y. 10017
Telephone: (212) 750-1960, 1961, 1962

M. Mohamed Salah Dembri	Ministre des affaires étrangères Chef de délégation
M. Ramtane Lamamra	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef suppléant de délégation
M. Ahmed Amine Kherbi	Directeur général des relations multilatérales au Ministère des affaires étrangères
M. Halim Benatallah	Ambassadeur en Autriche Représentant permanent auprès de l'Agence internationale de l'énergie atomique et des autres organisations internationales à Vienne
M. Kamel Abderahmene	Directeur central au Ministère de la défense nationale
M. Sabri Boukadoum	Directeur de la politique internationale au Ministère des affaires étrangères
M. Mouloud Hamai	Chargé d'études et de synthèse, Division juridique, Ministère des affaires étrangères
M. Noureddine Ayadi	Sous-Directeur "ONU et désarmement" au Ministère des affaires étrangères
M. Salah Fouathia	Ministre plénipotentiaire Mission permanente
M. Mohamed Hacène Echarif	Ministre plénipotentiaire Mission permanente auprès de l'Office des Nations Unies à Genève
M. Boualem Tatah	Maître de recherche, Directeur d'études au Ministère de l'enseignement supérieur et de la recherche scientifique

M. Mohamed Benyoub	Sous-Directeur à la Direction de la coordination et de la recherche, Ministère de l'enseignement supérieur et de la recherche scientifique
M. Belaïd Benali	Conseiller, Ambassade à Washington
M. Noureddine Sidi Abed	Premier Secrétaire Mission permanente

ANTIGUA AND BARBUDA

Address: Permanent Mission of Antigua and Barbuda to the United Nations
610 Fifth Avenue, Suite 311, New York, N.Y. 10020
Telephone: (212) 541-4117

Mr. Lionel Alexander Hurst	Ambassador Extraodinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. John William Ashe	Minister Counsellor Permanent Mission
Mr. Conrod Hunte	Second Secretary Permanent Mission
Ms. Aqeelah Jamillah Akbar	Second Secretary Permanent Mission

ARGENTINA

Address: Permanent Mission of Argentina to the United Nations
One United Nations Plaza, 25th Floor, New York, N.Y. 10017
Telephone: (212) 688-6300

Sr. Guido di Tella	Ministro de Relaciones Exteriores
Mr. Emilio J. Cárdenas	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Fernando Petrella	Embajador

Sr. Enrique de la Torre	Ministro
Sr. Carlos Alberto Hernández	Consejero
Sr. Héctor Raúl Peláez	Consejero
Sr. Alejandro G. Deimundo Escobal	Segundo Secretario Misión Permanente
Sr. Alejandro Daneri	Secretario

ARMENIA

Address: Permanent Mission of the Republic of Armenia to the United Nations
119 East 36th Street, New York, N.Y. 10016
Telephone: (212) 686-9079

Mr. Alexander Arzoumanian	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Movses Abelian	First Secretary Permanent Mission
Mr. Vahram Kazhoyan	Second Secretary Permanent Mission
Mr. Vagram Gabrielian	Adviser

AUSTRALIA

Address: Permanent Mission of Australia to the United Nations
One Dag Hammarskjöld Plaza
885 Second Avenue, 16th Floor, New York, N.Y. 10017
Telephone: (212) 421-6910, 836-4100

Mr. Gareth John Evans	Minister for Foreign Affairs of the Commonwealth of Australia
Mr. Richard William Butler, AM	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

Mr. Ian Herbert Cousins	First Assistant Secretary International Security Division Department of Foreign Affairs and Trade Canberra
Mr. Richard Gordon Starr	Ambassador for Disarmament and Permanent Representative to the United Nations for Disarmament Matters, Permanent Mission to the United Nations Office at Geneva
Mr. Ronald Alfred Walker	Ambassador and Resident Representative to the International Atomic Energy Agency, Vienna
Mr. Leslie Richard Luck	Assistant Secretary, Nuclear Policy Branch Department of Foreign Affairs and Trade Canberra
Mr. John Albert Carlson	Director of Safeguards and Director, Australian Safeguards Office, Canberra
Mr. Richard Anthony Rowe	Minister Deputy Permanent Representative to the United Nations
Ms. Caroline Jane Millar	Director, Nuclear Non-Proliferation Policy Section Department of Foreign Affairs and Trade Canberra
Mr. Patrick Alastair Cole	Counsellor Permanent Mission to the United Nations Office at Geneva
Mr. John Jerome Griffin	Counsellor Permanent Mission
Ms. Martine Debbie Letts	Counsellor Australian Embassy, Vienna
Mr. Christos Moraitis	Adviser Office of the Minister for Foreign Affairs Canberra
Ms. Genevieve Mary Hamilton	First Secretary Permanent Mission

Ms. Bronte Nadine Moules	First Secretary Permanent Mission to the United Nations Office at Geneva
Ms. Patricia Emily Hewitson	Nuclear Non-Proliferation Policy Section Department of Foreign Affairs and Trade Canberra
Ms. Sandra Gay Phillips	Nuclear Non-Proliferation Policy Section Department of Foreign Affairs and Trade Canberra
Ms. Suzanne Kuhl	Assistant Adviser Office of the Minister for Foreign Affairs Canberra

AUSTRIA

Address: Permanent Mission of Austria to the United Nations
809 United Nations Plaza, 7th Floor, New York, N.Y. 10017
Telephone: (212) 949-1840

Mr. Robert Marschik	Ambassador Federal Ministry for Foreign Affairs, Vienna Head of Delegation
Mr. Fritz W. Schmidt	Director Division for Nuclear Non-Proliferation Federal Chancellery, Vienna
Mr. Bernhard Wrabetz	Counsellor Permanent Mission

AZERBAIJAN

Address: Permanent Mission of the Azerbaijani Republic to the United Nations
747 Third Avenue, 17th Floor, New York, N.Y. 10017
Telephone: (212) 371-2672

Mr. Araz B. Azimov	Deputy Minister for Foreign Affairs Head of Delegation

Mr. Eldar G. Kouliev	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Yashar Teimur Alyev	Counsellor Permanent Mission

BAHAMAS

Address: Permanent Mission of the Commonwealth of the Bahamas
to the United Nations
231 East 46th Street, New York, N.Y. 10017
Telephone: (212) 421-6925

Mr. Harcourt L. Turnquest	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Freddie C. Tucker	Third Secretary Permanent Mission

BAHRAIN

Address: Permanent Mission of the State of Bahrain to the United Nations
Two United Nations Plaza, 25th Floor, New York, N.Y. 10017
Telephone: (212) 223-6200

Mr. Jassim Mohamed Buallay	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Miss Bibi Sharaf Al-Alawi	Counsellor Ministry of Foreign Affairs
Mr. Ebrahim Mubarak Al-Dosari	Second Secretary Permanent Mission
Mr. Ahmed Mohamed Yousif Al-Dosari	Third Secretary Permanent Mission

BANGLADESH

Address: Permanent Mission of the People's Republic of Bangladesh
to the United Nations
821 United Nations Plaza, 8th Floor, New York, N.Y. 10017
Telephone: (212) 867-3434

Mr. A.S.M. Mostafizur Rahman	Minister for Foreign Affairs Head of Delegation
Mr. Reaz Rahman	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Jamil Majid	Minister Deputy Permanent Representative to the United Nations
Mr. Mohammad Ziauddin	Counsellor Permanent Mission
Mr. A.B. Manjoor Rahim	Counsellor Permanent Mission
Mr. Md. Humayun Kabir	Director (United Nations) Ministry of Foreign Affairs
Mr. Tajul Islam	First Secretary Permanent Mission
Mr. Masud Bin Momen	First Secretary Permanent Mission
Ms. Rabab Fatima	Second Secretary Permanent Mission

BARBADOS

Address: Permanent Mission of Barbados to the United Nations
800 Second Avenue, 18th Floor, New York, N.Y. 10017
Telephone: (212) 867-8431, 8432, 8433

Ms. Teresa Ann Marshall	Minister Counsellor Chargé d'affaires a.i. Permanent Mission

BELARUS

Address: Permanent Mission of the Republic of Belarus to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 535-3420

Mr. Uladzimir L. Syanko	Minister for Foreign Affairs Head of Delegation
Mr. Andrey A. Sannikau	Deputy Minister for Foreign Affairs
Mr. Alyaksandr M. Sychou	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Ural Latypau	Political Adviser to the President
Mr. Alyaksandr M. Baichorau	Head, International Security and Disarmament Department, Ministry of Foreign Affairs
Mr. Aleg M. Laptsenak	Counsellor Permanent Mission
Mr. Syargei P. Syargeeu	First Secretary Permanent Mission
Mr. Alyaksei A. Skrypko	Attaché Permanent Mission

BELGIUM

Address: Permanent Mission of Belgium to the United Nations
809 United Nations Plaza, 2nd Floor, New York, N.Y. 10017
Telephone: (212) 599-5250

M. Erik Derycke	Ministre des affaires étrangères et de la coopération au développement
Baron Alain Guillaume	Ambassadeur, Chef de la délégation de la Belgique à la Conférence d'examen et de prorogation du TNP
Mme M. Claeys	Directeur d' administration Ministère des affaires étrangères Direction d'administration de la Coordination thématique, Bruxelles
M. A. Mernier	Ministre plénipotentiaire Chef du Service du désarmement Ministère des affaires étrangères, Bruxelles
M. L. Vandamme	Chef de cabinet adjoint Ministère de la coopération au dévelopment Bruxelles
M. Phillipe Roland	Conseiller Mission permanente
M. B. Ouvry	Premier secrétaire d'Ambassade Ambassade de Belgique à Vienne, Représentation permanente de la Belgique auprès de l'Agence internationale de l'énergie atomique, Vienne
M. Bernard Charlier	Premier Secrétaire Mission permanente
M. B. Van de Voorde	Conseilier de presse Cabinet du Ministre des affaires étrangères Bruxelles
M. L. Carnas	Adjoint principal, Sécurité nucléaire Ministère de la justice, Sécurite nucléaire Bruxelles

M. R. Huygelen	Attaché de Cabinet du Ministère des affaires étrangères, Bruxelles
M. V. Van den Storme	Secrétaire d'administration Ministère des affaires économiques Administration de l'energie, Bruxelles
M. H. Decanck	Expert auprès du Ministère des affaires économiques, Bruxelles
M. A. Michel	Expert auprès du Ministère des affaires économiques, Bruxelles
M. P. Verbeek	Expert auprès du Ministère des affaires économiques, Bruxelles

BELIZE

Address: Permanent Mission of Belize to the United Nations
820 Second Avenue, Suite 922, New York, N.Y. 10017
Telephone: (212) 599-0233

Mr. Edward A. Laing	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Lawrence A. Sylvester	Minister Counsellor Permanent Mission
Mr. Charles Peyrefitte	First Secretary Permanent Mission

BENIN

Address: Permanent Mission of the Republic of Benin to the United Nations
4 East 73rd Street, New York, N.Y. 10021
Telephone: (212) 249-6014

M. René Valéry Mongbé	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation

M. Georges A. Whannou	Ministre Conseiller Mission permanente
M. Jöel Wassi Adechi	Ministre Conseiller Mission permanente
M. Rogatien Biaou	Premier Conseiller Mission permanente
M. Pascal Sossou	Attaché Mission permanente
M. Houssou Paul Houansou	Attaché Mission permanente

BHUTAN

Address: Permanent Mission of the Kingdom of Bhutan to the United Nations
Two United Nations Plaza, 27th Floor, New York, N.Y. 10017
Telephone: (212) 826-1919

Mr. Ugyen Tshering	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Thinley Dorji	First Secretary Permanent Mission
Mr. Kesang Wangdi	First Secretary Permanent Mission
Mrs. Doma Tshering Dorjee	Second Secretary Permanent Mission

BOLIVIA

Address: Permanent Mission of Bolivia to the United Nations
211 East 43rd Street, 8th Floor (Room 802), New York, N.Y. 10017
Telephone: (212) 682-8132

Sr. Edgar Camacho Omiste	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas Jefe de la Delegación

Sr. Marco Antonio Vidaurre	Ministro Consejero Misión Permanente
Sr. Gustavo Pedraza	Consejero Misión Permanente
Sr. Gualberto Rodríguez San Martín	Ministerio de Relaciones Exteriores
Srta. Martha Montaño	Segunda Secretaria Misión Permanente

BOSNIA AND HERZEGOVINA

Address: Permanent Mission of the Republic of Bosnia and Herzegovina
to the United Nations
866 United Nations Plaza, Suite 580, New York, N.Y. 10017
Telephone: (212) 751-9015

Mr. Muhamed Sacirbey	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Ivan Zdravko Misić	Ambassador Deputy Permanent Representative to the United Nations
Mr. Omar Elhadi Sacirbey	First Secretary Permanent Mission
Ms. Amela Sapcanin	Second Secretary Permanent Mission

BOTSWANA

Address: Permanent Mission of Botswana to the United Nations
103 East 37th Street, New York, N.Y. 10016
Telephone: (212) 889-2277

Mr. Legwaila Joseph Legwaila	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation

Mr. Mothusi D.C. Nkgowe	Minister Counsellor Deputy Permanent Representative to the United Nations
Mr. Manyepedza Patrick Lesetedi	Counsellor Permanent Mission
Mr. Tebelelo A. Boang	Second Secretary Permanent Mission

BRUNEI DARUSSALAM

Address: Permanent Mission of Brunei Darussalam to the United Nations
866 United Nations Plaza, Room 248, New York, N.Y. 10017
Telephone: (212) 838-1600

Pengiran Haji Abdul Momin	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Jemat Haji Ampal	Deputy Permanent Representative to the United Nations
Mrs. Pg. Basmillah. Pg. Haji Abbas	First Secretary Permanent Mission
Ms. Noor Qamar Haji Sulaiman	Second Secretary Permanent Mission

BULGARIA

Address: Permanent Mission of the Republic of Bulgaria to the United Nations
11 East 84th Street, New York, N.Y. 10028
Telephone: (212) 737-4970

Mr. Stanimir Alexandrov	Deputy Minister for Foreign Affairs Head of Delegation
Mr. Yanko Yanev	Chairman Bulgarian Committee on the Peaceful Uses of Nuclear Energy

Mr. Georgi Dimitrov	Head, International Organizations Department Ministry of Foreign Affairs
Mr. Zlatin Trapkov	Head, Coordination and Analysis Department Ministry of Foreign Affairs
Mr. Ivan Maximov	Minister Plenipotentiary Permanent Mission
Mrs. Roumiana Dermendjieva	Counsellor Ministry of Foreign Affairs
Mr. Dimitar Dimitrov	Third Secretary Permanent Mission

BURKINA FASO

Address: Permanent Mission of Burkina Faso to the United Nations
115 East 73rd Street, New York, N.Y. 10021
Telephone: (212) 288-7515

M. Gaëtan R. Ouedraogo	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Mamadou Sermé	Premier Conseiller Mission permanente
Mme Awa Ouedraogo	Conseiller Mission permanente

BURUNDI

Address: Permanent Mission of the Republic of Burundi to the United Nations
336 East 45th Street, 12th Floor, New York, N.Y. 10017
Telephone: (212) 687-1180

M. Tharcisse Ntakibirora	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation

M. Melchiade Bukuru	Deuxième Conseiller Mission permanente

CAMBODIA

Address: Permanent Mission of the Kingdom of Cambodia to the United Nations
866 United Nations Plaza, Room 420, New York, N.Y. 10017
Telephone: (212) 421-7626

H.R.H. Prince Sisowath Sirirath	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
M. Ouch Borith	Ambassador Deputy Permanent Representative to the United Nations
M. Ok Socheat	Minister Counsellor Permanent Mission

CAMEROON

Address: Permanent Mission of the Republic of Cameroon to the United Nations
22 East 73rd Street, New York, N.Y. 10021
Telephone: (212) 794-2295

M. Pascal Biloa Tang	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Jean-Marc Mpay	Premier Conseiller Mission permanente
M. Ben Tong Nsangou	Sous-Directeur, Nations Unies Ministère des relations extérieures
M. Charles Tantoh	Premier Secrétaire, Mission permanente du Cameroun auprès de l'Office des Nations Unies à Genève

CANADA

Address: Permanent Mission of Canada to the United Nations
885 Second Avenue, 14th Floor, New York, N.Y. 10017
Telephone: (212) 751-5600

Mr. André Ouellet	Minister for Foreign Affairs Head of Delegation
Mr. Christopher W. Westdal	Ambassador for Disarmament Department of Foreign Affairs and International Trade
Mr. Michael Pearson	Senior Policy Adviser, Minister's Office Department of Foreign Affairs and International Trade
Mr. Yves Brodeur	Press Secretary, Minister's Office Department of Foreign Affairs and International Trade
Mr. Vaughan Johnstone	Assistant Chief of Protocol, Visits and Conferences Division, Department of Foreign Affairs and International Trade
Mr. Phillip MacKinnon	Alternate Permanent Representative and Counsellor, Permanent Mission of Canada to the international organizations at Vienna
Mr. Donald Sinclair	Counsellor, Permanent Mission of Canada to the United Nations Office at Geneva, to the Conference on Disarmament and to the World Trade Organization
Mr. Sven H. Jurschewsky	Senior Adviser for Non-Proliferation (Nuclear) and Deputy Director, Non-Proliferation, Arms Control and Disarmament Division, Department of Foreign Affairs and International Trade
Ms. Ann Pollack	Deputy Director, Energy and Nuclear Affairs Division, Department of Foreign Affairs and International Trade

Mr. John D. Harvie	Director General, Directorate of Research and Safeguards, Atomic Energy Control Board
Mr. James A. Casterton	Senior Advisor for Non-Proliferation, Directorate of Research and Safeguards, Atomic Energy Control Board
Ms. Ginette Tognet	Counsel, Economic and Trade Law Division Department of Foreign Affairs and International Trade
Captain Kenneth Craig	Department of National Defence
Mr. Tariq Rauf	Non-Proliferation Expert, Non-Proliferation, Arms Control and Disarmament Division, Department of Foreign Affairs and International Trade
Ms. Patricia Cocker	Non-Proliferation, Arms Control and Disarmament Division, Department of Foreign Affairs and International Trade

CAPE VERDE

Address: Permanent Mission of the Republic of Cape Verde
to the United Nations
27 East 69th Street, New York, N.Y. 10021
Telephone: (212) 472-0333

Mr. José Luís Barbosa Leao Monteiro	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Manuel Couto de Matos	Third Secretary Permanent Mission

CENTRAL AFRICAN REPUBLIC

Address: Permanent Mission of the Central African Republic
to the United Nations
386 Park Avenue South, Room 1614, New York, N.Y. 10016
Telephone: (212) 689-9693, 6195

M. Henry Koba	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Fernand Poukré-Kono	Conseiller Mission permanente

CHAD

Address: Permanent Mission of the Republic of Chad to the United Nations
211 East 43rd Street, Suite 1703, New York, N.Y. 10017
Telephone: (212) 986-0980, 490-2072

M. Ahmat Mahamat Saleh	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies
M. Issa Brahim	Premier Conseiller Mission permanente

CHINA

Address: Permanent Mission of the People's Republic of China
to the United Nations
155 West 66th Street, New York, N.Y. 10023
Telephone: (212) 870-0300

Mr. Qian Qichen	Vice Premier and Minister for Foreign Affairs Head of Delegation
Mr. Li Zhaoxing	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Deputy Head of Delegation

Mr. Wang Xue Xian	Ambassador Extraordinary and Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Sha Zhukang	Ambassador for Disarmament Affairs Deputy Permanent Representative to the United Nations Office at Geneva
Mr. Lu Xinhua	Secretary to Vice Premier and Foreign Minister
Mr. Wu Chenjiang	Counsellor Permanent Mission
Mr. Liu Jieyi	Counsellor Foreign Ministry
Mr. Guo Chongli	Counsellor Foreign Ministry
Mr. Wang Tianshe	Official Defence Ministry
Ms. Liu Xuehong	Deputy Director-General China National Nuclear Corporation
Mr. Wang Jun	First Secretary Permanent Mission to the United Nations Office at Geneva
Mr. Zhang Weidong	First Secretary Permanent Mission to the United Nations Office at Vienna
Mr. Wang Xiaoning	Deputy Director Foreign Ministry
Mr. Zheng Hekang	First Secretary Foreign Ministry
Mr. Wang Aiqing	Division Chief Ministry of Public Security
Mr. Jiang Zhenxi	Official Defence Ministry

Ms. Zou Yunhua	Official Defence Ministry
Mr. Chen Xueyin	Technical Expert China National Nuclear Corporation
Mr. Yang Dazhu	Deputy Director Bureau of International Cooperation China National Nuclear Corporation
Mr. Wu Haitao	Third Secretary Foreign Ministry
Ms. Wang Xiaolin	Official Foreign Ministry
Mr. Zhang Jianmin	Interpreter
Mr. Shi Fengchi	Security officer to Vice Premier and Foreign Minister

COLOMBIA

Address: Permanent Mission of Colombia to the United Nations
140 East 57th Street, 5th Floor, New York, N.Y. 10022
Telephone: (212) 355-7776

Sr. Rodrigo Pardo García-Peña	Ministro de Relaciones Exteriores
Sr. Julio Londoño-Paredes	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Andelfo J. García	Representante Permanente Adjunto ante las Naciones Unidas
Sr. Alejandro Borda	Ministro Plenipotenciario Misión Permanente
Sra. Clara I. Vargas	Ministra Plenipotenciaria Misión Permanente

Mr. Alvaro Forero	Ministro Consejero Misión Permanente
Sr. Rafael Leonel Ramírez	Consejero Misión Permanente

CONGO

Address: Permanent Mission of the Republic of the Congo to the United Nations
14 East 65th Street, New York, N.Y. 10021
Telephone: (212) 744-7840

M. Daniel Abibi	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Georges Bakala	Deuxième Conseiller Mission permanente
M. Corneille Edouard Moka	Conseiller Mission Permanente
M. Désiré Nkounkou	Premier Secrétaire

COSTA RICA

Address: Permanent Mission of Costa Rica to the United Nations
211 East 43rd Street, Room 903, New York, N.Y. 10017
Telephone: (212) 986-6373

Sr. Fernando Berrocal Soto	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Carlos Fernando Díaz Paniagua	Consejero Misión Permanente

CÔTE D'IVOIRE

Address: Permanent Mission of Côte d'Ivoire to the United Nations
46 East 74th Street, New York, N.Y. 10021
Telephone: (212) 717-5555

M. Jean-Marie Kacou Gervais	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Kramo Konan	Premier Conseiller Mission permanente
M. Eric Camille N'Dry	Premier Secrétaire Mission permanente
M. Essoh Jean Claude Essis	Administrateur civil

CROATIA

Address: Permanent Mission of the Republic of Croatia to the United Nations
201 East 42nd Street, 31st Floor, Suite 3108, New York, N.Y. 10017
Telephone: (212) 986-1585

Mr. Mario Nobilo	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mrs. Ana Marija Besker	Ambassador Permanent Representative to the United Nations Office at Vienna
Mr. Jakša Muljačić	Director Ministry of Foreign Affairs
Mr. Zoran Milanović	Adviser Ministry of Foreign Affairs
Mr. Neven Pelicarić	Second Secretary Permanent Mission

CYPRUS

Address: Permanent Mission of Cyprus to the United Nations
13 East 40th Street, New York, N.Y. 10016
Telephone: (212) 481-6023

Mr. Alecos H. Shambos	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Alexandros Vikis	Minister Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Michalis Stavrinos	First Secretary Permanent Mission
Miss Frances-Galatia Williams	Second Secretary Permanent Mission
Mr. Constantine Moushoutas	Special Adviser Permanent Mission

CZECH REPUBLIC

Address: Permanent Mission of the Czech Republic to the United Nations
1109 Madison Avenue, New York, N.Y. 10028
Telephone: (212) 535-8814

Mr. Alexandr Vondra	First Deputy Minister for Foreign Affairs
Mr. Ján Stuller	Chairman, State Office for Nuclear Safety Head of Delegation
Mr. Karel Kovanda	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Andrej Cima	Deputy Director, United Nations Department Ministry of Foreign Affairs
Mr. Dušan Rovenský	Minister-Counsellor Deputy Permanent Representative to the United Nations

Mr. Ivan Počuch	First Secretary Permanent Mission
Mr. Vladimír Císař	State Office for Nuclear Safety
Mrs. Eva Drdáková	First Secretary Permanent Mission at Vienna
Mr. Ladislav Barták	Director Department of Nuclear Materials State Office for Nuclear Safety

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Address: Permanent Mission of the Democratic People's Republic of Korea
to the United Nations
515 East 72nd Street, 38-F, New York, N.Y. 10021
Telephone: (212) 772-0712

Mr. Pak Gil Yon	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Kim Su Man	Ambassador Deputy Permanent Representative to the United Nations
Mr. Kim Chang Guk	Counsellor Permanent Mission
Mr. Choe Tong U	Third Secretary Permanent Mission
Mr. Ri Jang Gon	Third Secretary Permanent Mission

DENMARK

Address:	Permanent Mission of Denmark to the United Nations One Dag Hammarskjöld Plaza, 885 Second Avenue, 18th Floor New York, N.Y. 10017
Telephone:	(212) 308-7009

Mr. Niels Helveg Petersen	Minister for Foreign Affairs
Mr. Jørgen Bøjer	Ambassador, Permanent Representative of Denmark to the International Atomic Energy Agency
Mr. Knud-Arne Hjerk Eliasen	Minister Permanent Mission of Denmark to the United Nations Office at Geneva
Mr. Svend Wæver	Deputy Head of Department Ministry of Foreign Affairs
Mr. Børge Vagner Blønd	Head of Department Ministry of Foreign Affairs
Mr. Finn Erskov	Director for International Energy Cooperation Ministry of Foreign Affairs
Mr. Jørgen Molde	Minister Counsellor Permanent Mission
Mr. Bo Brandt	Military Adviser Permanent Mission
Mr. Kent Kirk	Former Minister, Member of Parliament
Ms. Helen Beim	Member of Parliament
Mr. Jens Hald Madsen	Member of Parliament

DOMINICA

Address: Permanent Mission of the Commonwealth of Dominica
to the United Nations
820 Second Avenue, 9th Floor, New York, N.Y. 10017
Telephone: (212) 949-0853

Mr. Simon Paul Richards	Counsellor Deputy Permanent Representative to the United Nations Head of Delegation
Mrs. Edna Justina Murphy	Consul General Permanent Mission Alternate Representative

DOMINICAN REPUBLIC

Address: Permanent Mission of the Dominican Republic to the United Nations
144 East 44th Street, 4th Floor, New York, N.Y. 10017
Telephone: (212) 867-0833

Sr. Carlos A. Morales Troncoso	Secretario de Estado de Relaciones Exteriores
Sr. Alfonso Canto Dinzey	Embajador
Sr. Enriquillo A. del Rosario	Embajador Misión Permanente
Sr. Julio Sterling	Embajador Adscrito a la Secretaría de Estado de Relaciones Exteriores
Sr. Luis Bogaert	Ministro Consejero Adscrito a la Secretaría de Estado de Relaciones Exteriores

ECUADOR

Address: Permanent Mission of Ecuador to the United Nations
866 United Nations Plaza, Room 516, New York, N.Y. 10017
Telephone: (212) 935-1680

Sr. Luis Valencia Rodríguez	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Emilio Izquierdo	Ministro Representante Permanente Adjunto ante las Naciones Unidas

EGYPT

Address: Permanent Mission of the Arab Republic of Egypt to the United Nations
36 East 67th Street, New York, N.Y. 10021
Telephone: (212) 879-6300

Mr. Amre Moussa	Minister for Foreign Affairs Head of Delegation
Mr. Nabil A. Elaraby	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Mohamed Shaker	Ambassador of Egypt to the United Kingdom
Mr. Mounir Zahran	Ambassador Permanent Representative to the United Nations Office at Geneva
Mr. Soliman Awaad	Minister Plenipotentiary Permanent Mission
Mr. Mahmoud Karem	Minister Plenipotentiary Ministry of Foreign Affairs
Mr. Mohamed Nabil Fahmy	Counsellor and Political Adviser to the Foreign Minister Ministry of Foreign Affairs

Mr. Sameh Shoukry	Counsellor Ministry of Foreign Affairs
Mr. Maged Abdel-Aziz	Counsellor Permanent Mission
Mr. Hatem Seif El Nasr	Counsellor Ministry of Foreign Affairs
Mr. Abdelrahman S. Abdelrahman	First Secretary Permanent Mission
Mr. Aly Erfan	Second Secretary Ministry of Foreign Affairs
Mr. Alaa Issa	Second Secretary Permanent Mission

EL SALVADOR

Address: Permanent Mission of El Salvador to the United Nations
46 Park Avenue, New York, N.Y. 10016
Telephone: (212) 679-1616

Sr. Ricardo G. Castaneda-Cornejo	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas Jefe de Delegación
Sr. Guillermo A. Meléndez-Barahona	Embajador Representante Permanente Adjunto ante las Naciones Unidas
Sr. José Tomás Regalado	Tercer Secretario Misión Permanente

EQUATORIAL GUINEA

Address: Permanent Mission of Equatorial Guinea to the United Nations
57 Magnolia Avenue, Mount Vernon, N.Y. 10553
Telephone: (914) 667-6913

Sr. Teodoro Biyogo Nsue	Primer Secretario Misión Permanente

ERITREA

Address: Permanent Mission of Eritrea to the United Nations
211 East 43rd Street, Suite 2203, New York, N.Y. 10017
Telephone: (212) 687-3390

Mr. Tesfa Alem Seyoum	First Secretary Permanent Mission

ESTONIA

Address: Permanent Mission of the Republic of Estonia to the United Nations
630 Fifth Avenue, Suite 2415, New York, N.Y. 10111
Telephone: (212) 247-0499

Mr. Trivimi Velliste	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Ernst Jaakson	Ambassador Permanent Mission
Mr. Heino Ainso	Minister Counsellor Permanent Mission
Mr. Paul Luedig	Counsellor Permanent Mission
Mrs. Tiina Intelman	First Secretary Permanent Mission

ETHIOPIA

Address: Permanent Mission of Ethiopia to the United Nations
866 United Nations Plaza, Room 560, New York, N.Y. 10017
Telephone: (212) 421-1830

Mr. Mulugeta Eteffa	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Fesseha Asghedom Tessema	Counsellor Deputy Permanent Representative to the United Nations
Mr. Sileshi Shewaneh	Second Secretary Permanent Mission

FIJI

Address: Permanent Mission of the Republic of Fiji to the United Nations
One United Nations Plaza, 26th Floor, New York, N.Y. 10017
Telephone: (212) 355-7316

Mr. Ratu Manasa K. Seniloli	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Satya Nand Nandan	Ambassador Permanent Mission
Mr. Graham Everett Leung	Counsellor Permanent Mission
Mr. Sevanaia Ratunaceva	Second Secretary Permanent Mission

FINLAND

Address: Permanent Mission of Finland to the United Nations
866 United Nations Plaza, 2nd Floor, New York, N.Y. 10017
Telephone: (212) 355-2100

Ms. Tarja Halonen	Minister for Foreign Affairs Head of Delegation
Mr. Jaakko Blomberg	Under-Secretary of State Ministry of Foreign Affairs
Mr. Pasi Patokallio	Ambassador Director for Non-Proliferation and Arms Control, Ministry of Foreign Affairs
Mr. Antti Sierla	Minister-Counsellor Finnish Embassy, Vienna
Mr. Jussi Manninen	Chief Counsellor Ministry of Trade and Industry
Mr. Kari Kahiluoto	Counsellor Ministry of Foreign Affairs
Ms. Marja Lehto	Counsellor Ministry of Foreign Affairs
Ms. Sirkka Vilkamo	Senior Adviser Ministry of Trade and Industry
Mr. Timo Kantola	First Secretary Finnish Embassy, Geneva
Ms. Leena Liukkonen	Second Secretary Permanent Mission
Ms. Anu Vehviläinen	Member of Parliament
Mr. Bjarne Kallis	Member of Parliament
Ms. Hanna Markkula	Member of Parliament

Ms. Outi Ojala	Member of Parliament
Mr. Jukka Huopaniemi	Counsel to the Foreign Affairs Committee

FRANCE

Address: Permanent Mission of France to the United Nations
One Dag Hammarskjöld Plaza, 245 East 47th Street, 44th Floor
New York, N.Y. 10017
Telephone: (212) 308-5700

M. Alain Juppé	Ministre des affaires etrangères Chef de délégation
M. Jean-Bernard Mérimée	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies
M. Gérard Errera	Représentant de la France auprès de la Conférence du désarmement
M. Alain Dejammet	Secrétaire général adjoint pour les affaires politiques et de sécurité
M. Jean Levy	Conseiller diplomatique adjoint du Président de la République
M. François Delattre	Conseiller technique au cabinet du Ministre
M. Régis de Belenet	Directeur des affaires stratégiques, de la sécurité et du désarmement
M. Christian Prettre	Directeur des relations internationales du Commissariat à l'énergie atomique
M. François Barry-Delongchamps	Directeur adjoint des affaires stratégiques, de la sécurité et du désarmement
M. Phillipe Thiebaud	Premier Conseiller Mission permanente
M. Daniel Parfait	Sous-Directeur de la non-prolifération Ministère des affaires étrangères

M. Michel Duclos	Sous-Directeur du désarmement Ministère des affaires étrangères
M. Bertrand Besancenot	Représentant permanent adjoint auprès de la Conférence du désarmement
M. Hurbert Legal	Conseiller juridique Mission permanente
M. Michel Miraillet	Conseiller Mission permanente
Mme Thérèse Delpech	Adjoint au Directeur des relations internationales du Commissariat à l'énergie atomique
M. Jean Luc Florent	Représentation permanente de la France auprès de la Conférence du désarmement à Genève
Col. Jean-Paul Perroz	Conseiller militaire Représentation permanente de la France auprès de la Conférence du désarmement à Genève
Col. René Faure	Secrétariat général de la défense nationale
M. Michel Saint-Mleux	Conseiller nucléaire Représentation permanente de la France auprès de la Conférence du désarmement à Genève
M. Michel Raineri	Direction des affaires juridiques Ministère des affaires étrangères
M. Daniel Kiffer	Délégation aux affaires stratégiques Ministère de la défense
M. Jean Claude Brunet	Sous-Direction de la non-prolifération Ministère des affaires étrangères
M. Maxime Lefebvre	Sous-Direction de la non-prolifération Ministère des affaires étrangères
Mme Françoise Herbouiller	Sous-Direction de la non-prolifération Ministère des affaires étrangères

Mme Laurence Beau	Sous-Direction du désarmement Ministère des affaires étrangères
M. Philippe Carre	Directeur Secrétariat général du Conseil de l'Union européenne
M. Frédéric Moys	Directeur du Bureau du Secrétariat du Conseil de l'Union européenne à New York
Mme Anna-Lisa Grannella	Administrateur Secrétariat du Conseil de l'Union européenne
M. Chris Hoormaert	Administrateur Secrétariat général du Conseil de l'Union européenne
Mme Muriel Guin	Commission des Communautés européennes

GABON

Address: Permanent Mission of the Gabonese Republic to the United Nations
18 East 41st Street, 9th Floor, New York, N.Y. 10017
Telephone: (212) 686-9720

M. Denis Dangue Réwaka	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies
M. Parfait-Serge Onanga-Anyanga	Premier Conseiller Mission permanente

GAMBIA

Address: Permanent Mission of the Gambia to the United Nations
820 Second Avenue, 9th Floor, New York, N.Y. 10017
Telephone: (212) 949-6640

Mr. Momodou Kebba Jallow	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

GEORGIA

Address: Permanent Mission of the Republic of Georgia to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 717-6033

Mr. Peter P. Chkheidze	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. George Volski	Counsellor Permanent Mission
Mr. Levan R. Gogoberidze	First Secretary Permanent Mission
Mr. David Sumbadze	Counsellor Embassy of the Republic of Georgia in the United States

GERMANY

Address: Permanent Mission of Germany to the United Nations
600 Third Avenue, 41st Floor, New York, NY 10016
Telephone: (212) 856-6200

Mr. Klaus Kinkel	Federal Foreign Minister/Vice Chancellor Head of Delegation
Mr. Wolfgang Hoffmann	Ambassador Representative to the Conference on Disarmament Geneva
Mr. Josef Holik	Ambassador Commissioner of the Federal Government for Disarmament and Arms Control Federal Foreign Office
Mr. Wolfgang Ischinger	Director General for Political Affairs Federal Foreign Office

Mr. Peter von Butler	Director Deputy Commissioner of the Federal Government for Disarmament and Arms Control Federal Foreign Office
Mr. Eckart Herold	First Counsellor Head of the Nuclear Non-Proliferation Desk Federal Foreign Office
Mr. Hartmut Blankenstein	First Counsellor Head of the Peaceful Nuclear Cooperation and Non-Proliferation Desk, Federal Foreign Office
Mr. Folkmar Stoecker	First Counsellor Head of the North America Desk Federal Foreign Office
Mr. Peter Scholz	Counsellor Deputy Head of the Nuclear Non-Proliferation Desk, Federal Foreign Office
Mr. Konrad Scharinger	Counsellor Deputy Head of the Peaceful Nuclear Cooperation and Non-Proliferation Desk Federal Foreign Office
Mr. Christoph Müller	Counsellor Deputy Head of International Law Desk Federal Foreign Office
Mr. Stephan Keller	Counsellor Delegation to the Conference on Disarmament Geneva
Mrs. Gabriela Guellil	First Secretary Nuclear Non-Proliferation Desk Federal Foreign Office
Mr. Stefan Keil	First Secretary Delegation to the Conference on Disarmament Geneva

Mr. Eckhard R. Hellbeck	First Secretary Permanent Mission
Col. Klauswilli Gauchel	Minister Counsellor Branch Chief, Armed Forces Staff Federal Ministry of Defence
Mr. Ernst-Christoph Meier	First Secretary Assistant Branch Chief, Ministry of Defence
Mrs. Simone Tischler	Multilateral Cooperation Desk Federal Ministry for Science, Education, Research and Technology
Mr. Axel Göhner	First Secretary Nuclear Energy Desk, Federal Ministry of Economics
Mr. Gernot Erler	Member of Parliament, Special Adviser
Mr. Friedbert Pflüger	Member of Parliament, Special Adviser
Mrs. Uta Zapf	Member of Parliament, Special Adviser
Mrs. Angelika Beer	Member of Parliament, Special Adviser
Mr. Olaf Feldmann	Member of Parliament, Special Adviser
Mr. Hans-Dirk Bierling	Member of Parliament Special Adviser
Mr. Michael Gerdts	First Counsellor, Adviser Head of Press Division, Federal Foreign Office
Mrs. Sabine Sparwasser	Counsellor, Adviser Press Division, Federal Foreign Office
Mrs. Helga Schmid	First Secretary, Adviser Office of the Minister, Federal Foreign Office
Col. Hans-Jürgen Hugenschmidt	Secretary of the Sub-Committee for Disarmament and Arms Control, Adviser

Mrs. Christa Blenk	Adviser Delegation to the Conference on Disarmament Geneva
Mr. Gotthard Stein	Expert
Mr. Harald Müller	Expert
Mr. Joachim Krause	Expert
Mr. Matthias Dembinski	Expert
Mrs. Annette Schaper	Expert

GHANA

Address: Permanent Mission of Ghana to the United Nations
19 East 47th Street, New York, N.Y. 10017
Telephone: (212) 832-1300

Mr. George O. Lamptey	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Yakubu Abdulai	Minister Counsellor Permanent Mission
Mr. Morgan A. Brown	Counsellor Permanent Mission

GREECE

Address: Permanent Mission of Greece to the United Nations
733 Third Avenue, 23rd Floor, New York, N.Y. 10017
Telephone: (212) 490-6060

Mr. Christos Zacharakis	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Yannis Souliotis	Minister Counsellor Permanent Mission

Mr. Panayotis Goumas	Counsellor of Embassy Ministry of Foreign Affairs
Mr. Panayotis Papadimitropoulos	Adviser Embassy of Greece at Vienna

GRENADA

Address: Permanent Mission of Grenada to the United Nations
820 Second Avenue, Suite 900D, New York, N.Y. 10017
Telephone: (212) 599-0301, 0302

Mr. Eugene M. Pursoo	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

GUATEMALA

Address: Permanent Mission of Guatemala to the United Nations
57 Park Avenue, New York, N.Y. 10016
Telephone: (212) 679-4760

Sr. Julio Armando Martini Herrera	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas Jefe de Delegación
Sr. Rafael Castellanos-Carrillo	Embajador Representante Permanente Suplente ante las Naciones Unidas
Sr. Juan Carlos Cuestas-Gálvez	Ministro Consejero Misión Permanente
Sr. Roberto Lavalle Valdés	Ministro Consejero Misión Permanente
Srta. Crista Evangelina Gándara-Rosal	Consejera Misión Permanente
Srta. Silvia Cristina Corado-Cuevas	Tercera Secretaria

GUINEA

Address: Permanent Mission of the Republic of Guinea to the United Nations
140 East 39th Street, New York, N.Y. 10016
Telephone: (212) 687-8115

M. Aboubacar Dione	Premier Conseiller, Chargé d'affaires a.i. Mission permanente
M. Tahirou Diallo	Premier Secrétaire Mission permanente

GUINEA-BISSAU

Address: Permanent Mission of the Republic of Guinea-Bissau
to the United Nations
211 East 43rd Street, Room 604, New York, N.Y. 10017
Telephone: (212) 661-3977

M. Mario Lopes da Rosa	Ambassadeur Représentant permanent adjoint Chargé d'affaires a.i.
Mme Manuela Lopes da Rosa	Conseiller Mission permanente

GUYANA

Address: Permanent Mission of the Republic of Guyana to the United Nations
866 United Nations Plaza, Suite 555, New York, N.Y. 10017
Telephone: (212) 527-3232

Mr. Samuel R. Insanally	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mrs. Paulette Cornette	First Secretary Permanent Mission

HAITI

Address: Permanent Mission of Haiti to the United Nations
801 Second Avenue, Room 300, New York, N.Y. 10017
Telephone: (212) 370-4840

M. Fritz Longchamp	Ambassadeur extraordinaire et plénipontentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Antonio Rodrigue	Ministre Conseiller Mission permanente
M. Jean Maxime Murat	Ministre Conseiller Mission permanente
Mme Nicole Romulus	Conseiller Mission permanente
M. Joseph Innocent	Conseiller Mission permanente
Mme Béatrice Eugène	Conseiller Mission permanente

HOLY SEE

Address: Permanent Observer Mission of the Holy See to the United Nations
25 East 39th Street, New York, N.Y. 10016-0903
Telephone: (212) 370-7885

Archbishop Renato R. Martino	Apostolic Nuncio Permanent Observer to the United Nations Head of Delegation
Monsignor Dominique Mamberti	Counsellor Permanent Observer Mission
Mr. Vittorio M. Canuto	
Mr. Alfred Edward	
Mr. John Klink	

Rev. Vincent R. LaRocca, Esq.

Mr. Douglas Roche

HONDURAS

Address: Permanent Mission of Honduras to the United Nations
866 United Nations Plaza, Suite 417, New York, N.Y. 10017
Telephone: (212) 752-3370

Sr. Gerardo Martínez Blanco	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Julio Antonio Rendón Barnica	Embajador Representante Suplente ante las Naciones Unidas
Sr. Marco Antonio Suazo	Consejero Misión Permanente
Srta. Consuelo María Maas	Primera Secretaria Misión Permanente

HUNGARY

Address: Permanent Mission of the Republic of Hungary to the United Nations
227 East 52nd Street, New York, N.Y. 10022
Telephone: (212) 752-0209

Mr. László Kovács	Minister for Foreign Affairs Head of Delegation
Mr. André Erdős	Deputy State Secretary Ministry of Foreign Affairs Deputy Head of Delegation
Mr. István Náthon	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Gábor Bródy	Director, Chief of the Minister's Cabinet

Mr. István Mohácsi	Director Ministry of Foreign Affairs
Mr. Gábor Szentiványi	Director, Spokesman of the Ministry of Foreign Affairs
Mr. István Posta	Counsellor, Chargé d'affaires a.i. Permanent Mission to the United Nations Office and other international organizations at Vienna
Mrs. Ildikó Czoch	Deputy Director General Hungarian Atomic Energy Office
Mr. Gábor Menczel	Deputy Director Ministry of Foreign Affairs
Mr. Ferenc Gajda	Senior Counsellor Permanent Mission
Mr. Sándor Élő	Director Hungarian Atomic Energy Office
Mrs. Erzsébet Rózsa Nagy	Hungarian Institute on Foreign Relations

ICELAND

Address: Permanent Mission of Iceland to the United Nations
370 Lexington Avenue, 5th Floor, New York, N.Y. 10017
Telephone: (212) 686-4100

Mr. Gunnar Pálsson	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Kornelíus J. Sigmundsson	Minister Counsellor Deputy Permanent Representative to the United Nations
Mr. Sturla Sigurjónsson	Counsellor Permanent Mission

INDONESIA

Address: Permanent Mission of the Republic of Indonesia to the United Nations
325 East 38th Street, New York, N.Y. 10016
Telephone: (212) 972-8333

Mr. Ali Alatas	Minister for Foreign Affairs Head of Delegation
Mr. Izhar Ibrahim	Deputy Foreign Minister for Political Affairs
Mr. Nugroho Wisnumurti	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Agus Tarmidzi	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the the United Nations Office at Geneva
Mr. Djali Ahimsa	Director General National Atomic Energy Agency
Mr. Gunadi	Head, Agency of Technological Assessment and Research, Department of Defence
Mr. N. Hassan Wirajuda	Director for International Organizations Department of Foreign Affairs
Mr. Arizal Effendi	Director for Legal and Treaties Affairs Department of Foreign Affairs
Mr. Mohammad Jusuf	Minister Counsellor Permanent Mission
Mr. Sudjadnan Parnohadiningrat	Official Department of Foreign Affairs
Mr. Iwan Wiranataatmadja	First Secretary Permanent Mission
Mr. Imron Cotan	First Secretary Permanent Mission to the United Nations Office at Geneva

Mr. Martias Nurdin	Special Adviser National Atomic Energy Agency
Mr. Jasif Iljas	Adviser National Atomic Energy Agency
Mr. Rezlan Ishar Jenie	First Secretary Permanent Mission
Mr. A. M. Fachir	Second Secretary Permanent Mission
Mr. Suryana Sastradiredja	Third Secretary Permanent Mission
Mr. Hasan Kleib	Third Secretary Permanent Mission

IRAN (ISLAMIC REPUBLIC OF)

Address: Permanent Mission of the Islamic Republic of Iran
to the United Nations
622 Third Avenue, 34th Floor, New York, N.Y. 10017
Telephone: (212) 687-2020

Mr. Ali Akbar Velayati	Minister for Foreign Affairs
Mr. Kamal Kharrazi	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Sirouis Nasseri	Ambassador Permanent Representative to the United Nations Office at Geneva
Mr. Saeid Rajaee Khorasani	Member of Parliament
Mr. Mohammad Reza Sabbagh Amirkhizi	Director-General for International Political Affairs Ministry of Foreign Affairs
Mr. Majid Takht-Ravanchi	Ambassador Permanent Mission
Mr. Mansour Haji Azeim	Deputy for Atomic Energy Organization of Iran

Mr. Mohammad Sadegh Ayatollahi	Representative of Atomic Energy Organization of Iran
Mr. Mohsen Hashemi Bahremani	Head, Special Investigating Bureau Office of the President
Mr. Bahman Naimiarfa	Deputy Head, United Nations Department Ministry of Foreign Affairs
Mr. Behrouz Moradi	Second Secretary Permanent Mission
Mr. Hamid Baeidinejad	First Secretary Permanent Mission, Geneva
Mr. Mohmmad Taghi Hosseini	Expert, United Nations Department Ministry of Foreign Affairs
Mr. Khosro Pakzad	Expert, Atomic Energy Organization of Iran

IRAQ

Address: Permanent Mission of Iraq to the United Nations
14 East 79th Street, New York, N.Y. 10021
Telephone: (212) 737-4433

Mr. Wissam Al-Zahawi	Ambassador Extraordinary and Plenipotentiary Ambassador of Iraq to the Holy See
Mr. Abdul Halim Aman Al-Hijaj	Vice Chairman of the Iraqi Atomic Energy Committee (IAEC)
Mr. Saeed H. Hasan	Minister Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Ghalib Fahad Al-Anbaki	Second Secretary Ministry of Foreign Affairs

IRELAND

Address: Permanent Mission of Ireland to the United Nations
1 Dag Hammarskjöld Plaza, 885 Second Avenue, 19th Floor
New York, N.Y. 10017
Telephone: (212) 421-6934

Mr. Dick Spring	Tánaiste and Minister for Foreign Affairs Head of Delegation
Mr. Francis Mahon Hayes	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Edward Barrington	Political Director Department of Foreign Affairs
Mr. Richard Townsend	Head of Disarmament Department of Foreign Affairs
Mr. Michael Hoey	Counsellor Permanent Mission
Mr. Tom Russell	Deputy Permanent Representative to the United Nations Office at Geneva
Mrs. Kathryn Coll	Deputy Head of Disarmament Department of Foreign Affairs
Mr. John Foley	Head of Government Information Services Department of the Taoiseach
Mr. Fergus Finlay	Special Adviser and Programme Manager to the Tánaiste, Office of the Tánaiste and Minister for Foreign Affairs
Mr. Joe Hayes	Head of Press Department of Foreign Affairs
Mr. Niall Burgess	Private Secretary to the Tánaiste

ITALY

Address: Permanent Mission of Italy to the United Nations
2 United Nations Plaza, 24th Floor, New York, N.Y. 10017
Telephone: (212) 486-9191

Ms. Susana Agnelli	Minister for Foreign Affairs Head of Delegation
M. Francesco Paolo Fulci	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Corrado Taliani	Minister Plenipotentiary Directorate General for Political Affairs Ministry of Foreign Affairs
Mr. Lorenzo Ferrarin	Minister Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Carlo Trezza	First Counsellor Ministry of Foreign Affairs
Mrs. Anna Della Croce	Counsellor Ministry of Foreign Affairs
Mr. Mario Pasquale Fridegotto	Counsellor Permanent Mission
Mr. Andrea Perugini	Counsellor Ministry of Foreign Affairs
Mr. Roberto Liotto	First Secretary Ministry of Foreign Affairs
Mr. Natalino Ronzitti	Legal Adviser Ministry of Foreign Affairs
Mr. Ugo Cavuoto	National Institute of Research Energy and Environment
Mrs. Franca Padoani	National Institute of Research Energy and Environment

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JAMAICA

Address: Permanent Mission of Jamaica to the United Nations
767 Third Avenue, 9th Floor, New York, N.Y. 10017
Telephone: (212) 935-7509

Mr. Benjamin Clare	Minister of State Ministry of Foreign Affairs and Foreign Trade Head of Delegation
Mr. Stafford Neil	Director-General Ministry of Foreign Affairs and Foreign Trade
Mr. Owen Singh	Director Multilateral Organizations Department Ministry of Foreign Affairs and Foreign Trade
Mr. Paul Harker	Minister Deputy Permanent Representative to the United Nations
Miss Hillary Williams	Minister Counsellor Permanent Mission
Mr. David Allen Prendergast	Counsellor Permanent Mission
Mr. Wayne Thompson	First Secretary Permanent Mission

JAPAN

Address: Permanent Mission of Japan to the United Nations
866 United Nations Plaza, 2nd Floor, New York, N.Y. 10017
Telephone: (212) 223-4300

Mr. Yohei Kono	Deputy Prime Minister and Minister for Foreign Affairs Head of Delegation

Mr. Hisashi Owada	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Yoshitomo Tanaka	Ambassador of Japan to Hungary
Ms. Hisami Kurokochi	Ambassador Head of the Delegation of Japan to the Conference on Disarmament
Mr. Nobutoshi Akao	Ambassador Permanent Mission of Japan to the international organizations at Vienna
Mr. Akira Hayashi	Ambassador Director-General, Arms Control and Scientific Affairs, Foreign Policy Bureau, Ministry of Foreign Affairs
Mr. Masao Kawai	Minister and Head of Chancery Permanent Mission
Mr. Toru Namiki	Deputy Director-General Agency of Natural Resources and Energy Ministry of International Trade and Industry
Mr. Takahiko Kondo	Deputy Director-General Nuclear Safety Bureau Science and Technology Agency
Mr. Naotaka Oki	Deputy Director-General Atomic Energy, Science and Technology Agency
Mr. Yukiya Amano	Counsellor, Delegation of Japan to the Conference on Disarmament
Mr. Hiroshi Nagano	Director, Research and International Affairs Division, Atomic Energy Bureau, Science and Technology Agency
Mr. Akira Takamatsu	Director, Arms Control and Disarmament Division Foreign Policy Bureau, Ministry of Foreign Affairs

Mr. Shinichi Isashiki	Counsellor, Permanent Mission of Japan to the international organizations at Vienna
Mr. Masahiko Hosokawa	Director, Security Export Control Division, International Trade Administration Bureau, Ministry of International Trade and Industry
Mr. Hiroshi Fukuda	Deputy Minister for Foreign Affairs
Mr. Shunji Maruyama	Ambassador Extraordinary and Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Shoji Ogawa	Counsellor Permanent Mission
Mr. Hajime Sasaki	Senior Assistant for Arms Control and Disarmament, Ministry of Foreign Affairs
Mr. Toshio Sano	Counsellor Permanent Mission
Mr. Kanji Fujiki	Counsellor, Permanent Mission of Japan to the international organizations at Vienna
Mr. Michiaki Okubo	Inspector General Safeguards Division, Nuclear Safety Bureau, Science and Technology Agency
Mr. Hiroshi Matsuoka	Minister's secretariat Science and Technology Agency
Mr. Hiroaki Ishii	Director for International Nuclear Energy Affairs Agency of Natural Resources and Energy, Ministry of International Trade and Industry
Mr. Hidenobu Sobashima	First Secretary Permanent Mission of Japan to the Conference on Disarmament
Mr. Kazuchika Hamuro	First Secretary Permanent Mission of Japan to the Conference on Disarmament

Mr. Yoshio Uchiyama	Assistant Director, Arms Control and Disarmament Division Foreign Policy Bureau, Ministry of Foreign Affairs
Mr. Takashi Ashiki	First Secretary Permanent Mission
Ms. Toshiko Takahashi	First Secretary Permanent Mission of Japan to the Conference on Disarmament
Mr. Hideyuki Yoshioka	First Secretary Permanent Mission of Japan to the Conference on Disarmament
Mr. Keiji Terazawa	Deputy Director, Policy Division, Science and Technology Promotion Bureau, Science and Technology Agency
Mr. Tsutomu Arai	First Secretary Permanent Mission of Japan to the Conference on Disarmament
Mr. Yutaka Kikuta	Assistant Director, Arms Control and Disarmament Division, Foreign Policy Bureau, Ministry of Foreign Affairs
Mr. Yukinari Hirose	First Secretary Permanent Mission
Mr. Yoichi Ishikawa	Deputy Director, Research and International Affairs Division, Atomic Energy Bureau, Science and Technology Agency
Mr. Syichiro Itakura	Deputy Director, Safeguards Division, Nuclear Safety Bureau, Science and Technology Agency
Mr. Kazuyoshi Matsunaga	Assistant Director, Science and Nuclear Energy Division, Foreign Policy Bureau, Ministry of Foreign Affairs
Mr. Osamu Sakashita	Assistant Director, Science and Nuclear Energy Division, Foreign Policy Bureau, Ministry of Foreign Affairs

Mr. Koji Abe	Assistant Director, International Conventions Division, Foreign Policy Bureau, Ministry of Foreign Affairs
Mr. Nobuo Nagai	Arms Control and Disarmament Division, Foreign Policy Bureau, Ministry of Foreign Affairs
Mr. Toshihiro Mitsuhashi	Chief, Research and International Affairs Division, Atomic Energy Bureau, Science and Technology Agency
Mr. Satoshi Horie	Legal Adviser Permanent Mission of Japan to the Conference on Disarmament

JORDAN

Address: Permanent Mission of the Hashemite Kingdom of Jordan
to the United Nations
866 United Nation Plaza, Room 550-552, New York, N.Y. 10017
Telephone: (212) 752-0135

Mr. Abdel Kareem Al-Kabariti	Minister for Foreign Affairs Head of Delegation
Mr. Adnan Abu Odeh	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Rajab Sukayri	Minister Plenipotentiary Permanent Mission
Mr. Omar Rifai	Minister Plenipotentiary Ministry of Foreign Affairs
Mr. Mousa Azoqa	Brigadier General Headquarters of the Jordanian Armed Forces
Mr. Ahmad Hajaya	Chief of Arms Control and Disarmament Section Department of International Organizations and Conferences, Ministry of Foreign Affairs

Mr. Walid Obeidat	Second Secretary Permanent Mission
Mr. Basheer Zoubi	Second Secretary Permanent Mission

KAZAKHSTAN

Address: Permanent Mission of the Republic of Kazakhstan to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 472-5947

Kasymjomart K. Tokayev	Minister for Foreign Affairs Head of Delegation
Ms. Akmaral Kh. Arystanbekova	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. U. T. Kasenov	Director, Kazakhstan Strategic Research Institute
Mr. Kairat Kh. Abuseitov	Head, Department of International Security and Arms Control, Ministry of Foreign Affairs
Mr. E. A. Idrissov	Head of Department Ministry of Foreign Affairs
Mr. Murat Kh. Syzdykov	First Secretary Permanent Mission

KENYA

Address: Permanent Mission of the Republic of Kenya to the United Nations
866 United Nations Plaza, Room 486, New York, N.Y. 10017
Telephone: (212) 421-4740

Mr. Francis K. Muthaura	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation

Mr. F. O. Oyaya	Head, International Organizations and Conferences, Ministry of Foreign Affairs and International Cooperation
Mr. Solomon K. Wanguru	Director, Radiation Board Ministry of Health/Radiation Protection Board
Mr. Philip R. O. Owade	Counsellor Permanent Mission
Mr. John Frederick Onyango	Counsellor Permanent Mission
Mr. Samuel Thuita Mwangi	First Secretary Permanent Mission
Mr. J. B. Odhiambo	Second Secretary Permanent Mission

KUWAIT

Address: Permanent Mission of the State of Kuwait to the United Nations
321 East 44th Street, New York, N.Y. 10017
Telephone: (212) 973-4300

Mr. Mohammad A. Abulhasan	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Mohammad S. Al-Sallal	Permanent Representative to the United Nations Office at Geneva
Mr. Sallah Al Baaijan	Counsellor Permanent Mission to the United Nations Office at Geneva
Mr. Nasser S.B. Al-Sabeeh	First Secretary Permanent Mission

KYRGYZSTAN

Address: Permanent Mission of the Kyrgyz Republic to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 472-5934

Mr. Talgat Chinetov	Deputy Minister for Foreign Affairs Head of Delegation
Mr. Askar Aitmatov	Ambassador Chargé d'affaires a.i. Permanent Mission
Mr. Almas T. Chukin	Chargé d'affaires a.i. Embassy, Washington, D.C.
Mr. Nurbek Jeenbayev	First Secretary International Organizations Department Ministry of Foreign Affairs
Mr. Mouratbek A. Azymbakiev	Second Secretary Permanent Mission
Mr. William Potter	Adviser

LAO PEOPLE'S DEMOCRATIC REPUBLIC

Address: Permanent Mission of the Lao People's Democratic Republic
to the United Nations
317 East 51st Street, New York, N.Y. 10022
Telephone: (212) 832-2734

M. Alounkèo Kittikhoun	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Bounkham Theuambounmy	First Secretary Permanent Mission
Mr. Chacky Boudtavong	First Secretary Permanent Mission

LATVIA

Address: Permanent Mission of the Republic of Latvia to the United Nations
333 East 50th Street, New York, N.Y. 10022
Telephone: (212) 838-8877

Mr. Valdis Birkavs	Minister for Foreign Affairs Head of Delegation
Mr. Aivars Baumanis	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Ivars Roberts Slokenbergs	Counsellor Permanent Mission
Mr. Artis Bertulis	Adviser Ministry for Foreign Affairs
Ms. Kaija Gertnere	Director Department of International Organizations Ministry for Foreign Affairs
Mr. Uldis Blukis	First Secretary Permanent Mission

LEBANON

Address: Permanent Mission of Lebanon to the United Nations
866 United Nations Plaza, Room 531-533, New York, N.Y. 10017
Telephone: (212) 355-5460

Mr. Fares Boueiz	Minister for Foreign Affairs Head of Delegation
Mr. Samir Moubarak	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Antoine Chedid	Consul General
Mr. Melhem Misto	Counsellor Ministry of Foreign Affairs

Mr. Nouhad Mahmoud	Counsellor Deputy Permanent Representative to the United Nations
Mr. Michel Khoury	Counsellor Ministry of Foreign Affairs
Mr. Rucheid Dahdah	Counsellor Permanent Mission
Mr. Hicham Hamdan	Counsellor Permanent Mission
Mr. Hassan Kassem Najem	First Secretary Permanent Mission

LESOTHO

Address: Permanent Mission of the Kingdom of Lesotho to the United Nations
204 East 39th Street, New York, N.Y. 10016
Telephone: (212) 661-1690

Mr. Percy M. Mangoaela	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Ben T. Nteso	Counsellor (Political Affairs) Permanent Mission
Mr. Phakiso Mochochoko	Counsellor (Legal Affairs) Permanent Mission

LIBERIA

Address: Permanent Mission of the Republic of Liberia to the United Nations
820 Second Avenue, 4th Floor, New York, N.Y. 10017
Telephone: (212) 687-1033

Mr. William Bull	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

Mrs. Famatta Rose Osode	Minister Deputy Permanent Representative to the United Nations
Mrs. Estelle Brown-Hammond	Minister Counsellor Permanent Mission
Mr. Edwin F. Sele	Counsellor Permanent Mission

LIBYAN ARAB JAMAHIRIYA

Address: Permanent Mission of the Socialist People's Libyan Arab Jamahiriya to the United Nations
309-315 East 48th Street, New York, N.Y. 10017
Telephone: (212) 752-5775

Mr. Mohamed A. Azwai	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Abdallah Sadek Shumaina	Secretariat of Foreign Liaison and International Cooperation
Mr. Khaled Ahmed Dahan	Head of Treaties Section Secretariat of Foreign Liaison and International Cooperation
Mr. Ibrahim Ali Albesbas	Secretariat of Foreign Liaison and International Cooperation
Mr. Bashir M. Lassebaye	Secretariat of Foreign Liaison and International Cooperation

LIECHTENSTEIN

Address: Permanent Mission of the Principality of Liechtenstein
to the United Nations
405 Lexington Avenue, 43rd Floor, New York, N.Y. 10174
Telephone: (212) 599-0220

Mrs. Claudia Fritsche	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

LITHUANIA

Address: Permanent Mission of Lithuania to the United Nations
420 Fifth Avenue, Third Floor, New York, N.Y. 10018
Telephone: (212) 354-7820

Mr. Povilas Gylys	Minister for Foreign Affairs
Mr. Oskaras Jusys	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Ms. Gintė Damušis	Counsellor Permanent Mission Deputy Head of Delegation
Mr. Rytis Palauskas	Counsellor Permanent Mission
Mr. Eitvydas Bajarūnas	Deputy Head of Multilateral Relations Division Ministry of Foreign Affairs

LUXEMBOURG

Address: Permanent Mission of Luxembourg to the United Nations
17 Beekman Place, New York, N.Y. 10022
Telephone: (212) 935-3589

M. Jean-Louis Wolzfeld	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation

Mme Anne Bastian	Premier Secrétaire Mission permanente
M. Paul Kayser	Chargé de mission, délégué
M. Arsene Millim	Chargé de mission, délégué
M. Christian Biever	Attaché au Ministère des affaires étrangères, délégué

MADAGASCAR

Address: Permanent Mission of the Republic of Madagascar
to the United Nations
801 Second Avenue, Room 404, New York, N.Y. 10017
Telephone: (212) 986-9491

M. J. P. Ravelomanantsoa-Ratsimihah	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
Mme Jocelyne Lingaya	Ministre plénipotentiaire Représentante permanente adjointe auprès des Nations Unies
M. Martin Rakotonaivo	Conseiller Mission permanente
M. Claude Randriamalala	Conseiller Mission permanente
M. Albert Fety	Attaché Mission permanente

MALAWI

Address: Permanent Mission of the Republic of Malawi to the United Nations
600 Third Avenue, 30th Floor, New York, N.Y. 10016
Telephone: (212) 949-0180

Mr. David Rubadiri	Ambassador Extraordinary and Plenipotentiary Designate Permanent Representative to the United Nations Head of Delegation
Mr. Trevor P. Chimimba	Treaties Officer Ministry of External Affairs
Mr. Fexton David John Matupa	First Secretary Permanent Mission

MALAYSIA

Address: Permanent Mission of Malaysia to the United Nations
313 East 43rd Street, New York, N.Y. 10017
Telephone: (212) 986-6310

Mr. Razali Ismail	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Hasmy bin Agam	Ambassador Deputy Secretary-General, International Organizations and Multilateral Economics Ministry of Foreign Affairs
Mr. S. Thanarajasingam	Minister Deputy Permanent Representative to the United Nations
Mr. Mazlan Muhammad	Counsellor Permanent Mission
Mr. Razley Mohd Nordin	Science attaché Embassy of Malaysia at Vienna

Mr. Raja Abdul Aziz Raja Adnan	Senior Research Officer Planning Unit, Malaysian Institute for Nuclear Technology Research, Ministry of Science, Technology and Environment
Mr. Zulkifli Adnan	First Secretary Permanent Mission
Ms. Ho May Yong	Assistant Secretary Multilateral Political Affairs Division Ministry of Foreign Affairs

MALDIVES

Address: Permanent Mission of the Republic of Maldives to the United Nations
820 Second Avenue, Suite 800C, New York, N.Y. 10017
Telephone: (212) 599-6195

Mr. Ahmed Zaki	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Ahmed Khaleel	First Secretary Permanent Mission

MALI

Address: Permanent Mission of the Republic of Mali to the United Nations
111 East 69th Street, New York, N.Y. 10021
Telephone: (212) 737-4150

M. Houhoum Samassekou	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Raphaël Keita	Premier Conseiller Mission permanente

MALTA

Address: Permanent Mission of Malta to the United Nations
249 East 35th Street, New York, N.Y. 10016
Telephone: (212) 725-2345

Mr. Joseph Cassar	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Walter Balzan	Deputy Permanent Representative to the United Nations
Mr. Victor Pace	First Secretary Permanent Mission
Ms. Joanna Darmanin	First Secretary Permanent Mission

MARSHALL ISLANDS

Address: Permanent Mission of the Republic of the Marshall Islands to the United Nations
220 East 42nd Street, 31st Floor, New York, N.Y. 10017
Telephone: (212) 983-3040

Mr. Wilfred I. Kendall	Ambassador to the United States of America Head of Delegation
Mr. Laurence N. Edwards	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Alternate Head of Delegation
Mr. William Swain	Deputy Permanent Representative to the United Nations
Mr. Espen Rønneberg	Counsellor Permanent Mission
Ms. Holly Barker	Senior Adviser Republic of the Marshall Islands Embassy Washington, D.C.

MAURITANIA

Address: Permanent Mission of the Islamic Republic of Mauritania to the United Nations
211 East 43rd Street, Suite 2000, New York, N.Y. 10017
Telephone: (212) 986-7963

M. Hamoud Ould Ely	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies
M. Kharass Kane	Premier Conseiller Mission permanente
M. Mohamed Mahmoud Ould El Ghaouth	Premier Conseiller Mission permanente
M. Amadou N'Diaye	Premier Secretaire Mission permanente

MAURITIUS

Address: Permanent Mission of the Republic of Mauritius to the United Nations
211 East 43rd Street, 15th Floor, New York, N.Y. 10017
Telephone: (212) 949-0190

Mr. Satteeanund Peerthum	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Somduth Soborun	First Secretary Permanent Mission
Mr. Joyker Nayeck	Second Secretary Permanent Mission

MEXICO

Address: Permanent Mission of Mexico to the United Nations
Two United Nations Plaza, 28th Floor, New York, N.Y. 10017
Telephone: (212) 752-0220

Sr. José Angel Gurria	Secretario de Relaciones Exteriores Jefe de Delegación
Sr. Sergio González Gálvez	Embajador Subsecretario de Asuntos Multilaterales Secretaría de Relaciones Exteriores
Sr. Manuel Tello	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Antonio de Icaza	Embajador Representante Permanente ante los organismos internacionales con sede en Ginebra (designado)
Sr. Miguel Marín Bosch	Embajador
Sr. Daniel de la Pedraja	Embajador Director General para el Sistema de las Naciones Unidas Secretaría de Relaciones Exteriores
Sr. Pablo Macedo	Ministro Misión Permanente
Sr. Carlos Rico	Coordinador General de Asesores del Subsecretario de Asuntos Multilaterales
Sr. Juan Manuel González Bustos	Consejero Misión Permanente
Sr. Miguel Medina Vaillard	Director General de la Comisión Nacional de Seguridad Nuclear y Salvaguardias
Sr. Joel Hernández	Director para la Organización de las Naciones Unidas Secretaría de Relaciones Exteriores

MICRONESIA (FEDERATED STATES OF)

Address: Permanent Mission of the Federated States of Micronesia
to the United Nations
820 Second Avenue, Suite 204, New York, N.Y. 10017
Telephone: (212) 697-8370

Mr. Yosiwo P. George	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. David W. Panuelo	Minister Deputy Permanent Representative to the United Nations
Mr. Emilio C. Musrasrik	Minister Permanent Mission
Mr. Mathias Maradol	Minister Counsellor Permanent Mission

MONACO

Address: Permanent Mission of the Principality of Monaco to the United Nations
866 United Nations Plaza, Suite 520, New York, N.Y. 10017
Telephone: (212) 832-0721

M. Jacques Louis Boisson	Ambassadeur extraordinaire et plénipotentiare Représentant permanent auprès des Nations Unies
Mlle Isabelle F. Picco	Premier Secrétaire Mission permanente

MONGOLIA

Address: Permanent Mission of Mongolia to the United Nations
6 East 77th Street, New York, N.Y. 10021
Telephone: (212) 861-9460

Mr. Luvsangiin Erdenechuluun	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation

Mr. Dugersuren Erdembileg	Ambassador Extraordinary and Plenipotentiary Adviser
Mr. Tsend Munh-Orgil	Second Secretary Permanent Mission

MOROCCO

Address: Permanent Mission of the Kingdom of Morocco to the United Nations
767 Third Avenue, 30th Floor, New York, N.Y. 10017
Telephone: (212) 421-1580

M. Ahmed Snoussi	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies
M. Mohamed Amar	Conseiller Mission permanente
M. Mohammed Benjelloun	Secrétaire des affaires étrangères au Ministère des affaires étrangères et de la coopération
M. Lotfi Bouchaara	Secrétaire des affaires étrangères au Ministère des affaires étrangères et de la coopération

MOZAMBIQUE

Address:: Permanent Mission of the Republic of Mozambique
to the United Nations
70 East 79th Street, New York, N.Y. 10021
Telephone: (212) 517-4550

Ms. Frances Victoria Velho Rodrigues	Deputy Minister for Foreign Affairs and Cooperation Head of Delegation
Mr. Pedro Comissario Afonso	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Antonio Deinde Fernandez	Ambassador Deputy Permanent Representative to the United Nations

Mr. Alberto Maverengue Augusto	First Secretary Permanent Mission
Mr. Bernardo Nunes Albino Zaqueu	First Secretary Permanent Mission
Mr. Fernando Choumar	Third Secretary Permanent Mission
Mr. Armando Maceda Huo	Third Secretary Permanent Mission

MYANMAR

Address: Permanent Mission of the Union of Myanmar to the United Nations
10 East 77th Street, New York, N.Y. 10021
Telephone: (212) 535-1310

Mr. Win Mra	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Zaw Win	Deputy Director-General International Organizations and Economic Department, Ministry of Foreign Affairs
Mr. Mya Than	Deputy Permanent Representative to the United Nations Office at Geneva
Mr. Tint Deir	Minister Counsellor Deputy Permanent Representative to the United Nations
Mr. Hla Myint	First Secretary Permanent Mission

NAMIBIA

Address: Permanent Mission of the Republic of Namibia to the United Nations
135 East 36th Street, New York, N.Y. 10016
Telephone: (212) 685-2003

Mr. Theo-Ben Gurirab	Minister for Foreign Affairs Head of Delegation
Mr. Tunguru Huaraka	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Arthur Pickering	Under-Secretary for Multilateral Policy Coordination, Ministry of Foreign Affairs
Ms. Selma Ashipala	Counsellor Permanent Mission
Mr. Immanuel Iyambo	Personal Assistant to the Minister for Foreign Affairs
Ms. Hazel de Wet	First Secretary Permanent Mission
Mr. Egidius Hakwenye	First Secretary Permanent Mission
Mr. Manasse Katjivena	Desk Officer for the United Nations Ministry of Foreign Affairs
Mr. Zac Basson	Second Secretary Permanent Mission

NAURU

Address: Republic of Nauru
Department of External Affairs
Nauru Island, Central Pacific
Telephone: (674) 444 3191/3701

Mr. Kinza Clodumar	Special Presidential Adviser

NEPAL

Address: Permanent Mission of the Kingdom of Nepal to the United Nations
820 Second Avenue, Suite 202, New York, N.Y. 10017
Telephone: (212) 370-4188

Mr. Narendra Bikram Shah	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Pramesh Kumar Hamal	Minister Deputy Permanent Repesentative to the United Nations
Mr. Gopal Bahadur Thapa	First Secretary Permanent Mission
Mr. Niranjan Man Singh Basnyat	Second Secretary Permanent Mission
Mr. Kali Prasad Pokharel	Second Secretary Permanent Mission

NETHERLANDS

Address: Permanent Mission of the Kingdom of the Netherlands
to the United Nations
235 East 45th Street, 16th Floor, New York, N.Y. 10017
Telephone: (212) 697-5547

Mr. H. A. F. M. O. van Mierlo	Minister for Foreign Affairs
Mr. Jaap Ramaker	Ambassador Permanent Representative of the Netherlands to the Conference on Disarmament, Geneva
Mr. P. Marcel Kurpershoek	Director United Nations Political Affairs Department Ministry of Foreign Affairs

Mr. Onno D. Kervers	Counsellor Permanent Representation of the Netherlands to the Conference on Disarmament, Geneva
Mr. Piet de Klerk	Head, Arms Control and Verification Section, Atlantic Cooperation and Security Affairs Department, Ministry of Foreign Affairs
Mr. Pim R.J. Dumoré	First Secretary Permanent Mission
Mr. Frans J. Potuyt	Head, Nuclear Arms Control and Disarmament Section, United Nations Political Affairs Department, Ministry of Foreign Affairs
Mr. Joost A. Klarenbeek	Nuclear Arms Control and Disarmament Section United Nations Political Affairs Department Ministry of Foreign Affairs
Ms. Rebecca D.I. Parzer	Scientific, Technological and Nuclear Cooperation Section, Council of Europe and Scientific Cooperation Department Ministry of Foreign Affairs
Mr. Bob van den Bos	Member of Parliament
Mr. M. Theo van den Doel	Member of Parliament
Mr. J. Dzsingisz Gabor	Member of Parliament
Mr. Hamid Houda	Member of Parliament

NEW ZEALAND

Address: Permanent Mission of New Zealand to the United Nations
One United Nations Plaza, 25th Floor, New York, N.Y. 10017
Telephone: (212) 826-1960

Mr. Douglas Graham	Minister for Disarmament and Arms Control

Ms. Caroline Forsyth	Director International Security and Arms Control Division Ministry of Foreign Affairs and Trade
Mr. Alan Cook	Permanent Representative Permanent Mission, Vienna
Mr. Peter Rider	Minister Deputy Permanent Representative to the United Nations
Ms. Lucy Duncan	Deputy Permanent Representative Permanent Mission, Geneva
Ms. Anna Pears	Private Secretary to the Minister for Disarmament and Arms Control
Mr. Steve Hoadley	Public Advisory Committee on Disarmament and Arms Control

NICARAGUA

Address: Permanent Mission of Nicaragua to the United Nations
820 Second Avenue, 8th Floor, New York, N.Y. 10017
Telephone: (212) 490-7997

Sr. Erich Vilchez Asher	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Max Stadthagen	Consejero Misión Permanente
Sra. Myrna F. Peña	Primera Secretaria Misión Permanente

NIGER

Address: Permanent Mission of the Niger to the United Nations
417 East 50th Street, New York, N.Y. 10022
Telephone: (212) 421-3260

M. Adamou Seydou	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
Mme Suzanne Maikarfi	Conseiller Mission permanente
Mr. Abdou Abarry	Conseiller Mission permanente

NIGERIA

Address: Permanent Mission of Nigeria to the United Nations
828 Second Avenue, New York, N.Y. 10017
Telephone: (212) 953-9130

Chief Tom Ikimi	Minister for Foreign Affairs Head of Delegation
Mr. Ibrahim A. Gambari	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Olusegun Apata	Deputy Director-General International Organizations Directorate Ministry of Foreign Affairs
Mr. Isaac E. Ayewah	Ambassador Extraordinary and Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. S. A. Adekanye	Ambassador Permanent Representative to the United Nations Office at Vienna
Mr. Dan Hart	Assistant Director-General Ministry of Foreign Affairs

Mr. Fasehun Orobola	Minister Plenipotentiary Chargé d'affaires a.i. Permanent Mission of Nigeria to the United Nations Office at Geneva
Mrs. Maria Laose-Ajayi	Senior Counsellor Permanent Mission
Mr. F.N. Isoh	Counsellor Ministry of Foreign Affairs
Mr. Olabode Adekeye	Counsellor Ministry of Foreign Affairs

NORWAY

Address: Permanent Mission of Norway to the United Nations
825 Third Avenue, 39th Floor, New York, N.Y. 10022
Telephone: (212) 421-0280

Mr. Bjørn Tore Godal	Minister for Foreign Affairs
Mr. Finn K. Fostervoll	Ambassador Ministry of Foreign Affairs
Mr. Jostein Bernhardsen	Minister Counsellor Permanent Mission to the United Nations Office at Geneva
Mr. Jørn Gjelstad	Senior Executive Officer Ministry of Foreign Affairs
Mr. Knut Gussgard	Director at the Norwegian Radiation Protection Authority
Ms. Lillian Krokan	Deputy Director-General Advisory Board for Arms Control and Disarmament
Mr. Paul G. Larsen	Second Secretary Permanent Mission
Mr. Sverre Lunde	Head of Division, Ministry of Foreign Affairs

Ms. Tove Nordstrand	Senior Clerk Permanent Mission
Mr. Torbjørn Norendal	Consul General Ministry of Foreign Affairs
Ms. Mette Ravn	Counsellor Permanent Mission
Mr. Ragnvald H. Solstrand	Chief Scientist Advisory Board for Arms Control and Disarmament
Ms. Astrid Suhrke	Research Director Advisory Board for Arms Control and Disarmament
Ms. Anne Kristin Sydnes	Senior Research Fellow Advisory Board for Arms Control and Disarmament

PALAU

Address: Ministry of State
P.O. Box 100
Koror, Republic of Palau 96940

Mr. Isaac Soaladaob	Chargé d'affaires Washington, D.C.

PANAMA

Address: Permanent Mission of Panama to the United Nations
866 United Nations Plaza, Suite 4030, New York, N.Y.
Telephone: (212) 421-5420

Mr. Jorge E. Illueca	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas

Srta. Ruth Decerega	Embajadora Representante Permanente Adjunta ante las Naciones Unidas
Srta. Mary Morgan-Moss	Embajadora Representante Permanente Suplente ante las Naciones Unidas
Sr. Hernán Tejeira	Ministro Consejero Representante Permanente Suplente ante las Naciones Unidas
Sr. Fransico J. Berguido	Consejero Misión Permanente

PAPUA NEW GUINEA

Address: Permanent Mission of Papua New Guinea to the United Nations
866 United Nations Plaza, Suite 322, New York, N.Y. 10017
Telephone: (212) 832-0043

Mr. Utula Utuoc Samana	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Max H. Rai	Minister Counsellor Deputy Permanent Representative to the United Nations
Mr. Kappa Yarka	Counsellor Permanent Mission
Mr. Adam V. Delaney	Second Secretary Permanent Mission

PARAGUAY

Address: Permanent Mission of Paraguay to the United Nations
211 East 43rd Street, Room 1804, New York, N.Y. 10017
Telephone: (212) 687-3490, 3491

Sr. José Félix Fernández Estigarribia	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Ramón Díaz Pereira	Ministro Representante Alterno Misión Permanente

PERU

Address: Permanent Mission of Peru to the United Nations
820 Second Avenue, Suite 1600, New York, N.Y. 10017
Telephone: (212) 687-3336

Sr. Eduardo Ponce Vivanco	Vice-Ministro de Política Internacional y Secretario General de Relaciones Exteriores Jefe de Delegacion
Sr. Fernando Guillén	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Gastón Ibáñez	Ministro Representante Permanente Adjunto ante las Naciones Unidas
Sr. Julio Ocampo	Primer Secretario Misión Permanente
Sr. Fernando Quiros Campos	Primer Secretario Dirección, Naciones Unidas Ministerio de Relaciones Exteriores
Sr. Miguel Barreto	Tercer Secretario Misión Permanente

PHILIPPINES

Address:	Permanent Mission of the Republic of the Philippines to the United Nations 556 Fifth Avenue, 5th Floor, New York, N.Y. 10036
Telephone:	(212) 764-1300

Mr. Roberto R. Romulo	Secretary for Foreign Affairs
Mr. Edwin D. Bael	Director Office of the United Nations and Other International Organizations Department of Foreign Affairs
Mr. Felipe H. Mabilangan	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Reynaldo Arcilla	Ambassador Philippine Ambassador to Austria and United Nations organizations at Vienna
Mr. Ronald B. Allarey	Ambassador First Deputy Permanent Representative to the United Nations
Mr. Reynaldo G. Cardenas	Attaché Permanent Mission
Mr. J. Edgar E. Ledonio	Attaché Permanent Mission

POLAND

Address:	Permanent Mission of the Republic of Poland to the United Nations 9 East 66th Street, New York, N.Y. 10021
Telephone:	(212) 744-2506

Mr. Eugeniusz Wyzner	Under-Secretary of State Ministry of Foreign Affairs Head of Delegation
Mr. Jerzy Niewodniczański	President of the State Atomic Agency

Mr. Ludwik Dembinski	Ambassador Permanent Representative to the United Nations Office at Geneva
Mr. Tadeusz Strulak	Ambassador Head of the Non-Proliferation Team Ministry of Foreign Affairs
Mr. Zbigniew Matuszewski	Minister Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Henryk Pać	Minister Counsellor Permanent Mission, Geneva
Mr. Sylwin Giżowski	Adviser to the Minister for Foreign Affairs Head of the Political and Disarmament Division Department of the United Nations System Ministry of Foreign Affairs
Mr. Marek Madej	Counsellor Permanent Mission
Mr. Andrzej Ostrowski	Chief, Non-Proliferation Division State Atomic Agency
Col. Roman Jóźwik	Deputy Director Office of Disarmament Control and Peace-keeping Operations Ministry of National Defence
Mr. Jaroslaw Strejczek	Second Secretary Permanent Mission

PORTUGAL

Address: Permanent Mission of Portugal to the United Nations
777 Third Avenue, 27th Floor, New York, N.Y. 10017
Telephone: (212) 759-9444

Mr. José Manuel Durão Barroso	Minister for Foreign Affairs Head of Delegation

Mr. Pedro Catarino	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. João Quintela Paixão	Ambassador Director General for Multilateral Affairs Ministry of Foreign Affairs
Mr. Álvaro Mendonça E. Moura	Chief of Cabinet of the Minister for Foreign Affairs
Mr. José Tadeu Soares	Ambassador Deputy Permanent Representative to the United Nations
Mrs. Maria de Fátima Mendes	First Secretary Permanent Mission
Mr. Paulo Chaves	Secretary Department of Defence and Security Organizations, Ministry of Foreign Affairs
Mr. Frederico Alcântara de Melo	Technical Adviser Embassy of Portugal at Vienna
Mrs. Paula Escarameia	Legal Adviser Permanent Mission

QATAR

Address: Permanent Mission of the State of Qatar to the United Nations
747 Third Avenue, 22nd Floor, New York, N.Y. 10017
Telephone: (212) 486-9335

Mr. Hassan Ali Hussain Al-Ni'mah	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Ahmed Saif Al-Midhadi	Counsellor Permanent Mission
Mr. Khalid Mohammad Al-Baker	First Secretary Permanent Mission

REPUBLIC OF KOREA

Address: Permanent Mission of the Republic of Korea to the United Nations
866 United Nations Plaza, Suite 300, New York, N.Y. 10017
Telephone: (212) 371-1280

Mr. Park Soo Gil	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Cho Chung-Won	Director General Atomic Energy Policy, Ministry of Science and Technology
Mr. Lee Kyu Hyung	Counsellor Permanent Mission
Mr. Choi Won Sun	Director Security Policy Division Ministry of Foreign Affairs
Mr. Chun Young Woo	Counsellor Embassy of the Republic of Korea to Austria and Permanent Mission to the international organizations at Vienna
Mr. Lee Soo Taek	Director Special Political Affairs Division Ministry of Foreign Affairs
Mr. Kim Myung-Jin	Counsellor Permanent Mission to the United Nations Office at Geneva
Mr. Park In Kook	Director Disarmament and Nuclear Energy Division Ministry of Foreign Affairs
Mr. Choi Sung Joo	Deputy Director Disarmament and Nuclear Energy Division Ministry of Foreign Affairs
Mr. Kim Doo Young	First Secretary Permanent Mission

Mr. Lew Kwang-Chul	Deputy Director Disarmament and Nuclear Energy Division Ministry of Foreign Affairs
Mr. Kim Kijoo	Assistant Director Security Policy Division Ministry of Foreign Affairs
Mr. Lee Chan Buom	Assistant Director Security Policy Division Ministry of Foreign Affairs
Mr. Yoon Dong-Nyeol	Assistant Director Atomic Energy International Cooperation Division, Ministry of Science and Technology
Mr. Lee Chang Kun	Commissioner Korean Atomic Energy Commission
Mr. Lee Seo Hang	Professor and Director General for Security and Unification Studies, Institute of Foreign Affairs and National Security
Mr. Oh Keun-Bae	Head, Nuclear Foreign Policy Department Korea Atomic Energy Research Institute
Mr. Park Wan Sou	Head, Department of Nuclear Inspection Operation Division of Nuclear Inspection Technology, Technology Centre for Nuclear Control, Korea Atomic Energy Research Institute
Mr. Lee Byung Wook	Senior Researcher Nuclear Foreign Policy Department Korea Atomic Energy Research Institute

REPUBLIC OF MOLDOVA

Address: Permanent Mission of the Republic of Moldova to the United Nations
573-577 Third Avenue, New York, N.Y. 10016
Telephone: (212) 682-3523

Mr. Mihai Popov	Minister for Foreign Affairs Head of Delegation
Mr. Tudor Pantiru	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Vitalie Snegur	Counsellor Permanent Mission
Mr. Victor Moraru	First Secretary Permanent Mission

ROMANIA

Address: Permanent Mission of Romania to the United Nations
573-577 Third Avenue, New York, N.Y. 10016
Telephone: (212) 682-3273

Mr. Virgil Constantinescu	Secretary of State Ministry of Foreign Affairs
Mr. M. Ion Gorita	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Romulus Neagu	Ambassador Permanent Representative to the United Nations Office at Geneva
Mr. Anton Dragomirescu	Secretary of State, President of the National Commission for Control of Nuclear Activities
Mr. Florin Rosu	Director Ministry of Foreign Affairs
Mr. Gheorghe Chirila	Minister Counsellor Permanent Mission

Mr. Norocel Eduard Loghin	Inspector National Commission for Control of Nuclear Activities
Mr. Dorian Popescu	Second Secretary Permanent Mission

RUSSIAN FEDERATION

Address: Permanent Mission of the Russian Federation to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 861-4900, 4901, 4902

Mr. Andrei V. Kozyrev	Minister for Foreign Affairs Head of Delegation
Mr. Serguei I. Kisliak	Director, Department for Security and Disarmament, Ministry of Foreign Affairs Deputy Head of Delegation
Mr. Grigory V. Berdennikov	Ambassador Extraordinary and Plenipotentiary Head of the Delegation to the Conference on Disarmament
Mr. Guennadi M. Evstafiev	Ministry of Foreign Affairs
Mr. Mikhail N. Ryzhov	Ministry of Atomic Energy
Mr. Dmitri K. Kharchenko	Ministry of Defence
Mr. Oleg V. Vasnetsov	Ministry of Foreign Affairs
Mr. Vladimir C. Evteev	Ministry of Foreign Affairs
Mr. Mikhail N. Lysenko	Ministry of Foreign Affairs
Mr. Alexander N. Mostovets	Ministry of Foreign Affairs
Mr. Vladimir N. Sergeev	Ministry of Foreign Affairs
Mr. Pavel S. Dioukarev	Ministry of Foreign Affairs
Mr. Alexander G. Khokhlov	Ministry of Foreign Affairs

Mr. Evgueni P. Maslin	Ministry of Defence
Mr. Yuri F. Zabaluyev	Ministry of Defence
Ms. Alla A. Yaroshinskaya	Office of the President
Mr. Vladimir M. Soloviev	Office of the Security Council
Mr. Nikolai A. Titkov	Ministry of Atomic Energy
Mr. Nikolai N. Khlebnikov	Ministry of Atomic Energy
Ms. Marina P. Belyaeva	Ministry of Atomic Energy
Mr. Andrei V. Shkourko	Senior Counsellor Permanent Mission
Mr. Evgueni S. Menkes	Senior Counsellor Permanent Mission
Mr. Andrei E. Granovsky	Senior Counsellor Permanent Mission
Mr. Vladimir A. Dronov	Counsellor Permanent Mission
Mr. Vladimir G. Ivashchenko	Counsellor Permanent Mission
Mr. Victor L. Vassiliev	Second Secretary Permanent Mission
Mr. Boris V. Obnossov	First Secretary Permanent Mission
Mr. Sergei G. Federyakov	Second Secretary Permanent Mission
Mr. Dmitri O. Choulga	Second Secretary Permanent Mission

RWANDA

Address: Permanent Mission of the Rwandese Republic to the United Nations
336 East 45th Street, 3rd Floor, New York, N.Y. 10017
Telephone: (212) 809-9149, 9330

M. Pierre-Emmanuel Ubalijoro	Deuxième Conseiller Mission permanente
M. Venuste Habiyaremye	Premier Secrétaire Mission permanente

SAINT KITTS AND NEVIS

Address: Permanent Mission of Saint Kitts and Nevis to the United Nations
414 East 75th Street, 5th Floor, New York, N.Y. 10021
Telephone: (212) 535-1234

Mr. Raymond C. Taylor	Minister Counsellor Chargé d'affaires a.i. Permanent Mission

SAINT LUCIA

Address: Permanent Mission of Saint Lucia to the United Nations
820 Second Avenue, Suite 900, New York, N.Y. 10017
Telephone: (212) 697-9360

Mr. George William Odlum	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Ms. Sonia R. Leonce-Carryl	Attaché Permanent Mission

SAINT VINCENT AND THE GRENADINES

Address: Permanent Mission of Saint Vincent and the Grenadines to the United Nations
801 Second Avenue, 21st Floor, New York, N.Y. 10017
Telephone: (212) 687-4490

Mr. Herbert G.V. Young	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

SAMOA

Address: Permanent Mission of the Independent State of Western Samoa to the United Nations
820 Second Avenue, Suite 800D, New York, N.Y. 10017
Telephone: (212) 599-6196

Mr. Tuiloma Neroni Slade	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Ms. Andrea Williams-Stewart	First Secretary Permanent Mission

SAN MARINO

Address: Permanent Mission of the Republic of San Marino to the United Nations
327 East 50th Street, New York, N.Y. 10022
Telephone: (212) 751-1234

M. Pier Giovanni Guardigli	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies
M. Dario Galassi	Conseiller Mission permanente
Mlle Elena Molaroni	Conseillère Administrative Mission permanente

SAO TOME AND PRINCIPE

Address: Permanent Mission of Sao Tome and Principe to the United Nations
122 East 42nd Street, Suite 1604, New York, N.Y. 10168
Telephone: (212) 697-4211

Mr. Domingos Augusto Ferreira	First Secretary Chargé d'affaires a.i.

SAUDI ARABIA

Address: Permanent Mission of Saudi Arabia to the United Nations
405 Lexington Avenue, 56th Floor, New York, N.Y. 10017
Telephone: (212) 697-4830

Mr. Muhammad Mamoun Kurdi	Ambassador Deputy Minister for Economic and Cultural Affairs Head of Delegation
Mr. Saleh Ben Abdel Rahmen Al-Athel	Deputy Head of Delegation
Mr. Gaafar M. Allagany	Ambassador Extraordinary and Plenipotentiary Acting Permanent Representative to the United Nations
H.R.H. Prince Turki Bin Mohammed	Member
Mr. Mohamed A. Tayeb	Member
Mr. Khalid Al-Sulaiman	Member
Mr. Tarik Baghdadi	Member
Mr. Ibrahim Al-Taifi	Member
Mr. Jamal Aqeel	Member
Mr. Nabeel Al-Saleh	Member
Mr. Abdulrahman S. Al-Ahmed	Second Secretary Permanent Mission

Mr. Abdulrahman Al-Rassi	Second Secretary Permanent Mission
Mr. Ali A. Bahaitham	Third Secretary Permanent Mission

SENEGAL

Address: Permanent Mission of the Republic of Senegal to the United Nations
238 East 68th Street, New York, N.Y. 10021
Telephone: (212) 517-9030

M. Kéba Birane Cissé	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Cheikh Sylla	Ambassadeur Directeur des organisations internationales au Ministère des affaires étrangères et des Sénégalais de l'extérieur
M. Amadou Diop	Conseiller diplomatique à la Présidence de la République
M. Souleymane Thiam	Premier Conseiller Mission permanente
M. Seydina Omar Diop	Premier Conseiller Mission permanente
M. Mamadou Yaya Sy	Deuxième Secrétaire Mission permanente

SEYCHELLES

Address: Permanent Mission of the Republic of Seychelles to the United Nations
820 Second Avenue, Suite 900F, New York, N.Y. 10017
Telephone: (212) 687-9766

Mrs. Danielle de St Jorre	Minister for Foreign Affairs, Planning and Environment Head of Delegation

Mr. Marc Michael Marengo	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Nichol Gabriel	Counsellor Permanent Mission

SIERRA LEONE

Address: Permanent Mission of the Republic of Sierra Leone
to the United Nations
245 East 49th Street, New York, N.Y. 10017
Telephone: (212) 688-1656

Mr. Alimamy Pallo Bangura	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Otto O. During	Counsellor and Head of Chancery Permanent Mission
Mr. Nikita S. Khyne-Sam	Second Secretary Permanent Mission
Mr. Fode Kamara	Adviser

SINGAPORE

Address: Permanent Mission of the Republic of Singapore to the United Nations
231 East 51st Street, New York, N.Y. 10022
Telephone: (212) 826-0840

Ms. Vijayalakshmi Menon	Minister Counsellor Deputy Permanent Representative to the United Nations Chargé d'affaires a.i.
Mr. Crispian Thiam Siew Tan	First Secretary Permanent Mission
Mr. Kok Wah Cheong	Country Officer Ministry of Foreign Affairs

SLOVAKIA

Address: Permanent Mission of the Slovak Republic to the United Nations
866 United Nations Plaza, Suite 585, New York, N.Y. 10017
Telephone: (212) 980-1558

Mr. Juraj Schenk	Minister for Foreign Affairs Head of Delegation
Mr. Jozef Šesták	State Secretary Ministry of Foreign Affairs
Mr. Peter Tomka	Ambassador Deputy Permanent Representative to the United Nations
Mr. Jozef Mišák	Chairman Nuclear Regulatory Authority of the Slovak Republic
Mr. Jozef Zlatňanský	Vice-Chairman Nuclear Regulatory Authority of the Slovak Republic
Mr. Michal Štanceľ	Counsellor, Deputy Director Department of International Organizations Ministry of Foreign Affairs
Mr. Ivan Surkoš	First Secretary, Director Office of the Minister Ministry of Foreign Affairs
Mr. Mikuláš Turner	Director Department of International Relations Nuclear Regulatory Authority of the Slovak Republic
Mr. Marcel Jesenský	Third Secretary Permanent Mission
Mr. Dominik Pacala	Attaché Department of International Organizations Ministry of Foreign Affairs

SLOVENIA

Address: Permanent Mission of the Republic of Slovenia to the United Nations
600 Third Avenue, 24th Floor, New York, N.Y. 10016
Telephone: (212) 370-3007

Mr. Ignac Golob	State Secretary, Ministry of Foreign Affairs Head of Delegation
Mr. Danilo Türk	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Vojislav Šuc	Head of the Multilateral Relations Department Ministry of Foreign Affairs
Mr. Janez Lenarčič	Third Secretary Permanent Mission

SOLOMON ISLANDS

Address: Permanent Mission of Solomon Islands to the United Nations
820 Second Avenue, Suite 800A, New York, N.Y. 10017
Telephone: (212) 599-6192, 6193

Mr. Rex Stephen Horoi	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Sam K. Tagana	Counsellor Permanent Mission
Mr. Ian R. Vallee	Third Secretary Permanent Mission

SOUTH AFRICA

Address: Permanent Mission of South Africa to the United Nations
333 East 38th Street, 9th Floor, New York, N.Y. 10016
Telephone: (212) 213-5583

Mr. Alfred Nzo	Minister for Foreign Affairs

Mr. Khiphusizi J. Jele	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Thomas Frederick Wheeler	Chief Director Multilateral Affairs, Department of Foreign Affairs
Mr. Peter Goosen	Minister (Disarmament) Permanent Mission to the United Nations Office at Geneva
Mr. Abdul Samad Minty	Adviser to the Minister for Foreign Affairs on Nuclear Matters
Mr. Frederick Olaf Bergh	Minister Deputy Permanent Representative to the United Nations
Mr. Jan H. Duvennage	First Secretary Permanent Mission
Mr. J. H. Jacobs	First Secretary Permanent Mission to the United Nations Office at Vienna
Mr. Jean Philip du Preez	Non-Proliferation Affairs Department of Foreign Affairs
Mr. Nicolaas von Wielligh	Senior Manager Licensing and Safeguards, South African Atomic Energy Corporation

SPAIN

Address: Permanent Mission of Spain to the United Nations
809 United Nations Plaza, 6th Floor, New York, N.Y. 10017
Telephone: (212) 661-1050

Sr. Javier Solana Madariaga	Ministro de Asuntos Exteriores

Sr. Juan Antonio Yáñez-Barnuevo	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas
Sr. Miguel A. Carriedo	Director General Jefe del Gabinete del Sr. Ministro Ministerio de Asuntos Exteriores
Sr. José de Carvajal	Director General de Seguridad y Desarme Ministerio de Asuntos Exteriores
Sr. Jesús Atienza	Director General de la Oficina de Información Diplomática Ministerio de Asuntos Exteriores
Sr. Arturo Laclaustra	Ministro Plenipotenciario Representante Permanente Adjunto ante las Naciones Unidas
Sr. Juan Ramón Martínez Salazar	Ministro Plenipotenciario Misión Permanente
Sr. Angel Guinea	Consejero Misión Permanente
Sr. Román Oyarzun	Subdirector General Adjunto de Desarme Ministerio de Asuntos Exteriores
Sr. Francisco Aymerich	Asesor del Ministerio de Defensa

SRI LANKA

Address: Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations
630 Third Avenue, 20th Floor, New York, N.Y. 10017
Telephone: (212) 986-7040

Mr. Jayantha Dhanapala	Ambassador of Sri Lanka to the United States of America, Washington, D.C. Head of Delegation

Mr. Herman Leonard de Silva	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Nihal Rodrigo	Ambassador Deputy Permanent Representative to the United Nations
Mr. A.R. Perera	Legal Adviser Ministry of Foreign Affairs
Mr. H.M.G.S. Palihakkara	Minister Permanent Mission
Mr. E. Rodney Perera	First Secretary Permanent Mission
Mr. W. Hettiarachchi	First Secretary Permanent Mission
Mr. Piyaratne de Silva	First Secretary Permanent Mission

SUDAN

Address: Permanent Mission of the Republic of the Sudan to the United Nations
733 Third Avenue, 9th Floor, New York, N.Y. 10017
Telephone: (212) 573-6033

Mr. Ali Mohamed Osman Yassin	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Hamid Ali Mohamed Eltinay	Ambassador Deputy Permanent Representative to the United Nations
Mr. Sulieman Mohamed Mustafa	Counsellor Permanent Mission
Mr. Omer Mohamed Ahmed Siddig	Counsellor Permanent Mission

SURINAME

Address: Permanent Mission of the Republic of Suriname to the United Nations
866 United Nations Plaza, Suite 320, New York, N.Y. 10017
Telephone: (212) 826-0660

Mrs. Irma E. Klein-Loemban Tobing	Minister Plenipotentiary Chargé d'affaires a.i. Head of Delegation
Ms. Ruth Helen de Miranda	First Secretary Permanent Mission
Ms. Natasha E. M. Halfhuid	Second Secretary Permanent Mission

SWAZILAND

Address: Permanent Mission of the Kingdom of Swaziland to the United Nations
408 East 50th Street, New York, N.Y. 10022
Telephone: (212) 371-8910

Mr. Mduduzi S. Magongo	Principal Secretary Ministry of Foreign Affairs Head of Delegation
Mr. Moses Mathendele Dlamini	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Carlton M. Dlamini	Counsellor Permanent Mission
Mr. Ishmael L. Matse	Legal Adviser Ministry of Foreign Affairs
Mr. Melusie Masuku	First Secretary Permanent Mission
Ms. Nonhlanhla P.L. Tsabedze	First Secretary Permanent Mission

SWEDEN

Address: Permanent Mission of Sweden to the United Nations
One Dag Hammarskjöld Plaza, 885 Second Avenue, 46th Floor
New York, N.Y. 10017
Telephone: (212) 751-5900

Mr. Jan Eliasson	Permanent Under-Secretary of State Ministry of Foreign Affairs Head of Delegation
Mr. Lars Norberg	Ambassador Permanent Mission of Sweden to the United Nations Office at Geneva
Mr. Henrik Salander	Ambassador Deputy Permanent Representative to the United Nations
Mr. Richard Ekwall	Counsellor Permanent Mission of Sweden to the United Nations Office at Geneva
Mr. Robert Rydberg	Counsellor Permanent Mission
Ms. Birgitta Alani	First Secretary Ministry of Foreign Affairs
Mr. Per Lindgärde	Second Secretary Permanent Mission of Sweden to the United Nations Office at Geneva
Mr. Lars Ekecrantz	Adviser Expert, Ministry of the Environment
Mr. Pär Granstedt	Adviser United Nations Association of Sweden
Ms. Maud Frölich	Adviser United Nations Association of Sweden
Mr. Lars-Göran Strömberg	Scientific Adviser, National Defence Research Establishment

Ms. Iréne Vestlund	Member of Parliament
Mr. Arne Mellqvist	Member of Parliament
Ms. My Persson	Member of Parliament
Mr. Erling Bager	Member of Parliament
Ms. Eva Goes	Member of Parliament
Ms. Ewa Zetterberg	Member of Parliament
Ms. Ingrid Näslund	Member of Parliament
Mr. Erik Arthur Egervärn	Member of Parliament

SWITZERLAND

Address: Permanent Observer Mission of Switzerland to the United Nations
757 Third Avenue, 21st Floor, New York, N.Y. 10017
Telephone: (212) 421-1480

M. Robert Mayor	Ambassadeur Direction politique Département fédéral des affaires étrangères, Chef de délégation
M. Alec Jean Baer	Office fédéral de l'énergie Département fédéral des transports, des communications et de l'énergie
M. François Chappuis	Ministre Observateur permanent adjoint auprès des Nations Unies
M. Josef Schäerli	Brigadier, Délégué du Chef d'état-major général, Chef de la division pour le contrôle de l'armement et du maintien de la paix, Département militaire fédéral

M. Andreas Friedrich	Chef de la Section Politique du désarmement et questions nucléaires, Département fédéral des affaires étrangères,
M. Beat Wieland	Chef de la Section Technologie nucléaire et sûreté, Département fédéral des transports, des communications et de l'énergie
M. Erwin Dahinden	Division pour le contrôle de l'armement et du maintien de la paix, Département militaire fédéral

SYRIAN ARAB REPUBLIC

Address: Permanent Mission of the Syrian Arab Republic to the United Nations
820 Second Avenue, 10th Floor, New York, N.Y. 10017
Telephone: (212) 661-1313

Mr. Farouk Al-Shara	Minister for Foreign Affairs Head of Delegation
Mr. Taher Hussamy	Director of International Organizations and Conferences Department Ministry of Foreign Affairs
Mr. Ibrahim Osman	General Director of the Board of Atomic Energy Damascus
Mr. Ahmad Hallak	Minister Plenipotentiary Charge d'affaires a.i. Permanent Mission
Mr. Ahmad Haj Ibrahim	Deputy Director of the Department of International Organizations and Conferences Ministry of Foreign Affairs
Mr. Farouk Al-Attar	Minister Counsellor Permanent Mission

Mr. Ahmad Arnouss	Director of the Minister's Office Ministry of Foreign Affairs
Mr. Khalil Abou-Hadid	Counsellor Permanent Mission
Miss Nadra Sayaf	Second Secretary Permanent Mission
Miss Maha Abdul Raheem	Board of Atomic Energy, Damascus
Mr. Tammam Sulaiman	Attaché Permanent Mission
Mr. Bassam Al-Khatib	Attaché Permanent Mission
Mr. Hassan Zakaria	Ministry of Foreign Affairs

TAJIKISTAN

Address: Permanent Mission of the Republic of Tajikistan to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 472-7645

Mr. Lakim Kayumov	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

THAILAND

Address: Permanent Mission of Thailand to the United Nations
351 East 52nd Street, New York, N.Y. 10022
Telephone: (212) 754-2230

Mr. Nitya Pibulsonggram	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Birath Israsena Na Ayudhaya	Deputy Permanent Secretary Ministry of Foreign Affairs
Mr. Thakur Phanit	Ambassador Deputy Permanent Representative to the United Nations

Mrs. Rushda Thavaravej	Director of Political Division Department of International Organizations Ministry of Foreign Affairs
Mr. Charivat Santaputra	Minister Counsellor Permanent Mission
Mr. Poonsuk Pongpat	Director of Health Physics Division Office of Atomic Energy for Peace Ministry of Science, Technology and Environment
Mr. Apichai Chvajarernpun	Minister Counsellor Office of Science and Technology Royal Thai Embassy, Washington, D.C.
Mr. Attaporn Charoenpanich	Director, Military Legislation and Foreign Affairs Division, Judge Advocate General's Department, Ministry of Defence
Mr. Krisna Bovornratanaraks	Chief, International Law Section Military Legislation and Foreign Affairs Division Judge Advocate General's Department Ministry of Defence
Mr. Darmp Sukontasap	First Secretary Permanent Mission
Ms. Thippawan Piampanyasin	Second Secretary Royal Thai Embassy, Vienna

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Address: Permanent Mission of the former Yugoslav Republic of Macedonia
to the United Nations
866 United Nations Plaza, Suite 4050, New York, N.Y. 10017
Telephone: (212) 308-8504

Mr. Stevo Crzenkovski	Minister for Foreign Affairs Head of Delegation
Mr. Denko Maleski	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

Ms. Ljubica Acevska	United States Representative of the Republic of Macedonia, Washington
Mr. Dimitar Bidikov	Counsellor Deputy Permanent Representative to the United Nations
Mr. Slobodan Tasovski	Counsellor Deputy Permanent Representative to the United Nations
Mr. Igor Dzundev	First Secretary Permanent Mission

TOGO

Address: Permanent Mission of Togo to the United Nations
112 East 40th Street, New York, N.Y. 10016
Telephone: (212) 490-3455

M. Biova-Soumi Pennaneach	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation
M. Nolana Ta'Ama	Ministre Conseiller Représentant permanent adjoint auprès des Nations Unies
M. Komi Mensah Afeto	Conseiller Mission permanente

TONGA

Address: Ministry of Foreign Affairs
Nuku'alofa, Tonga

Mr. Sonatane Tu'akinamolabi Taumoepeau-Tupou

TRINIDAD AND TOBAGO

Address: Permanent Mission of the Republic of Trinidad and Tobago
to the United Nations
820 Second Avenue, 5th Floor, New York, N.Y. 10017
Telephone: (212) 697-7620

Mrs. Annette des Iles	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Miss Delia Chatoor	First Secretary Permanent Mission
Mrs. Roslyn Khan-Cummings	Second Secretary Permanent Mission
Mr. Rajiv Ramlal	Second Secretary Permanent Misison

TUNISIA

Address: Permanent Mission of Tunisia to the United Nations
31 Beekman Place, New York, N.Y. 10022
Telephone: (212) 751-7503

M. Slaheddine Abdellah	Ambassadeur extraordinaire et plénipotentiaire Représentant pemanent auprès des Nations Unies
M. Mokhtar Chaouachi	Conseiller Mission permanente
M. Abderrazak Azaiez	Conseiller Mission permanente
M. Tarak Ben Hamida	Conseiller Mission permanente
M. Ammar Amari	Conseiller Mission permanente
Mme Samia Ladgham	Conseiller Mission permanente

M. Walid Doudeche	Secrétaire des affaires étrangères

TURKEY

Address: Permanent Mission of Turkey to the United Nations
821 United Nations Plaza, 10th Floor, New York, N.Y. 10017
Telephone: (212) 949-0150

Mr. İnal Batu	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Halil Akinci	Director, Disarmament Department Ministry of Foreign Affairs
Mr. Hayati Güven	First Counsellor Deputy Permanent Representative to the United Nations
Mr. Erkal Slaim Bektaş	Counsellor, Military Adviser Permanent Mission
Mr. Bülent Tulun	Head of Section, Disarmament Department Ministry of Foreign Affairs
Mr. Feridun Sınırlıoğlu	First Secretary Permanent Mission
Mr. Asim Arar	First Secretary Permanent Mission to the United Nations Office at Geneva
Mr. Hilmi Dedeoğlu	First Secretary Disarmament Department Ministry of Foreign Affairs
Mr. Ferda Akkerman	Second Secretary Permanent Mission

TURKMENISTAN

Address: Permanent Mission of Turkmenistan to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 472-5921

Mrs. Aksoltan T. Ataeva	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

TUVALU

Address: Tuvalu Government
Department of Foreign Affairs
Office of the Prime Minister
Private Mail Bag
Funafuti, Tuvalu

Mr. Houati Iele	Minister for Labour, Works and Communications
Mr. Feute Tipu	Ambassador

UGANDA

Address: Permanent Mission of the Republic of Uganda to the United Nations
336 East 45th Street, New York, N.Y. 10017
Telephone: (212) 949-0110

Mr. Chris Katsigazi	Ambassador, Permanent Secretary Ministry of Foreign Affairs Head of Delegation
Mr. Perezi Karukubiro Kamunanwire	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Paul Mukasa-Ssali	Ambassador Deputy Permanent Representative to the United Nations
Mr. Odyek Agona	First Secretary Permanent Mission

Mr. Nester Odaga-Jalomayo	First Secretary Ministry of Foreign Affairs

UKRAINE

Address: Permanent Mission of Ukraine to the United Nations
136 East 67th Street, New York, N.Y. 10021
Telephone: (212) 535-3418

Mr. Gennadi Y. Udovenko	Minister for Foreign Affairs Head of Delegation
Mr. Kostyantyn I. Hryshchenko	Deputy Minister for Foreign Affairs
Mr. Volodymyr P. Horbulin	National Security Adviser Secretary, National Security Council to the President
Mr. Anatoli M. Zlenko	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Vadym P. Tiutiunnyk	State Expert, National Security Council to the President
Mr. Anatoli A. Shcherba	Head, Non-Proliferation and Expert Control Department, Ministry of Foreign Affairs
Mr. Olexander O. Horin	First Secretary Permanent Mission
Mr. Kostyyantyn P. Elisseev	Second Secretary Permanent Mission

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Address: Permanent Mission of the United Kingdom to the United Nations
One Dag Hammarskjöld Plaza
885 Second Avenue, New York, N.Y. 10017
Telephone: (212) 745-9200

Mr. Douglas Hurd	Secretary of State for Foreign and Commonwealth Affairs

Sir Michael Weston	Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Mr. C. Hulse	Permanent Representative to the International Atomic Energy Agency, Vienna
Mr. D. Omand	Deputy Under-Secretary Ministry of Defence
Mr. F. Panton	Consultant Cabinet Office
Mr. P.H. Agrell	Head, Non-Proliferation Branch Department of Trade and Industry
Mr. B.E. Cleghorn	Head, Non-Proliferation Department Foreign and Commonwealth Office
Mr. P.W.D. Hatt	Director, Proliferation and Arms Control Secretariat, Ministry of Defence
Mr. N.E. Sheinwald	Head, News Department, Foreign and Commonwealth Office
Mr. J.A. Grainger	Legal Counsellor Foreign and Commonwealth Office
Ms. Elizabeth Wilmhurst	Legal Counsellor Permanent Mission
Mr. S.D. Pattison	Assistant Head, Non-Proliferation Department Foreign and Commonwealth Office
Ms. C.J. Ferguson	Deputy Permanent Representative to the Conference on Disarmament, Geneva
Mr. R.J. Sawers	Private Secretary to the Secretary of State for Foreign and Commonwealth Affairs
Mr. G. Andrew	Head, Safeguards Office Department of Trade and Industry

Mr. A.W. Barlow	Head of Arms Control and Disarmament Research Unit, Foreign and Commonwealth Office
Mr. Roger A. Cambridge	First Secretary Permanent Mission
Mr. Keith R. Craig	First Secretary Permanent Mission
Mr. R.J. Laxton	Head of Nuclear Policy Section Non-Proliferation Department, Foreign and Commonwealth Office
Mr. J.P. Noble	Assistant Director Proliferation and Arms Control Secretariat Ministry of Defence
Mrs. B. Phillips	Director Export Control Policy Unit Department of Trade and Industry
Mr. Paul J. Ritchie	First Secretary Permanent Mission
Mr. M. Rutter	Head, Non-Conventional Weapons Export Section Foreign and Commonwealth Office
Mr. K. Chaudhry	Non-Proliferation Department, Foreign and Commonwealth Office
Mr. T. Alloway	Third Secretary United Kingdom Representation to the Conference on Disarmament, Geneva
Ms. S. MacIntosh	Third Secretary United Kingdom Mission to the International Atomic Energy Agency, Vienna

UNITED REPUBLIC OF TANZANIA

Address: Permanent Mission of the United Republic of Tanzania
to the United Nations
205 East 42nd Street, 13th Floor, New York, N.Y. 10017
Telephone: (212) 972-9160

Mr. Daudi Ngelautwa Mwakawago	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations Head of Delegation
Mr. Ulli K. Mwambulukutu	Minister Plenipotentiary Deputy Permanent Representative to the United Nations
Mrs. Liberata Mulamula	Counsellor Ministry of Foreign Affairs and International Cooperation
Mr. Geoffrey M. Nkurlu	Counsellor Permanent Mission

UNITED STATES OF AMERICA

Address: United States Mission to the United Nations
799 United Nations Plaza, New York, N.Y. 10017
Telephone: (212) 415-4000

Mr. Albert Gore, Jr.	Vice President of the United States of America Representative
Mr. Warren Christopher	Secretary of State
Ms. Madeleine Korbel Albright	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. John D. Holum	Director Arms Control and Disarmament Agency
Mr. Ralph Earle, II	Deputy Director Arms Control and Disarmament Agency

Mr. Thomas Graham, Jr.	Special Representative of the President for Arms Control, Non-Proliferation and Disarmament
Mr. Michael D. Rosenthal	Chief, International Nuclear Affairs Bureau of Non-Proliferation and Regional Arms Control, Arms Control and Disarmament Agency
Mr. Lawrence Scheinman	Assistant Director Arms Control and Disarmament Agency
Mr. Carlton Stoiber	Director Office of International Programs Nuclear Regulatory Commission
Mr. Ashton B. Carter	Assistant Secretary for International Security Policy, Department of Defense
Ms. Lynn E. Davis	Under Secretary for Arms Control and International Security Affairs Department of State
Ms. Sue E. Eckert	Assistant Secretary for Export Administration Department of Commerce
Mr. Robert Einhorn	Deputy Assistant Secretary for Non-Proliferation Bureau of Political Military Affairs Department of State
Mr. Karl F. Inderfurth	Ambassador Alternate Representative for Special Political Affairs
Mr. Stephen J. Ledogar	Ambassador United States Representative to the Conference on Disarmament, Geneva
Mr. Winston Lord	Assistant Secretary for East Asian and Pacific Affairs, Department of State
Mr. Thomas E. McNamara	Assistant Secretary for Political Military Affairs Department of State

Mr. George E. Moose	Assistant Secretary for African Affairs Department of State
Mr. Daniel B. Poneman	Special Assistant to the President and Senior Director for Non-Proliferation and Export Controls, National Security Council, Executive Office of the President
Mr. John B. Ritch III	Ambassador United States Representative to the United Nations Office at Vienna
Mr. Nelson F. Sievering, Jr.	United States Representative to the International Atomic Energy Agency, Department of State
Mr. Mitchel Wallerstien	Deputy Assistant Secretary for Counterproliferation Policy, Department of State
Mr. Alexander F. Watson	Assistant Secretary for Inter-American Affairs Department of State
Ms. Mary Elizabeth Hoinkes	General Counsel Arms Control and Disarmament Agency
Ms. Lisa Burdick	Deputy Director for Negotiations Office of the Assistant Secretary for International Security Policy, Department of Defense
Ms. Susan F. Burk	Special Coordinator Chief, Non-Proliferation Treaty Extention Division, Bureau of Non-Proliferation and Regional Arms Control, Arms Control and Disarmament Agency
Col. Charles Cicolella	Executive Secretary Senior Military Advisor, Arms Control and Disarmament Agency
Ms. Katharine C. Crittenberger	Representative of the Arms Control and Disarmament Agency to the Conference on Disarmament

Ms. Mary Dillon	Director Office of Public Affairs, Arms Control and Disarmament Agency
Ms. Amanda Dory	Assistant for Negotiations Office of the Assistant Secretary for International Security Policy Department of Defense
Mr. Jack Ebetino	Office of Nuclear Energy Affairs Bureau of Political Military Affairs Department of State
Ms. Linda Gallini	Bureau of Political Military Affairs Department of State
Mr. Ira Goldman	Office of Arms Control and Non-Proliferation Department of Energy
Mr. Donald G. Gross	Senior Adviser to the Director Arms Control and Disarmament Agency
Mr. Frank Houck	Bureau of Non-Proliferation and Regional Arms Control, Arms Control and Disarmament Agency
Mr. John King	Executive Secretary United States Delegation to the Conference on Disarmament, Geneva
Mr. Brian Knapp	Representative of the Secretary of Defense to the Conference on Disarmament, Department of Defense
Mr. Ray A. Meyer	Office of the Legal Advisor Department of State
Col. Patrick Shannahan	The Joint Staff, Department of Defense
Mr. Michael D. Smith	Office of Nuclear Energy Affairs Bureau of Political Military Affairs Department of State
Mr. Raymond Snider	Political Counsellor United States Mission, Vienna

Ms. Juliet Swiecicki	Non-Proliferation Treaty Extension Division Bureau of Non-Proliferation and Regional Arms Control, Arms Control and Disarmament Agency
Mr. Shelton Williams	Political Advisor Permanent Mission
Mr. Nicholas Burns	Principal Deputy Assistant Secretary and Spokesman, Bureau of Public Affairs Department of State
Mr. Thomas E. Donilon	Assistant Secretary for Public Affairs and Chief of Staff to the Secretary of State Department of State
Mr. Robert H. Pelletreau	Assistant Secretary for African Affairs Department of State
Mr. James B. Steinberg	Director Policy Planning Staff, Department of State
Mr. Peter Tarnoff	Under Secretary for Political Affairs Department of State
Mr. Theodore Allegra	Executive Secretariat Staff Office of the Secretary, Department of State
Mr. Robert A. Bradtke	Executive Assistant to the Secretary of State Department of State
Ms. Nandra Chitre	Associate Communications Planning Group Bureau of Public Affairs, Department of State
Mr. Lynwood Dent, Jr.	Deputy Executive Secretary Office of the Secretary, Department of State
Mr. Michael Guest	Deputy Executive Secretary Office of the Secretary, Department of State
Mr. Paul Hughes	Special Assistant to the Secretary of State Department of State

Ms. Elizabeth Lineberry	Staff Assistant to the Secretary of State Department of State
Mr. William Mozdzierz	Executive Secretariat Staff Office of the Secretary, Department of State
Ms. Lynn Sweeney	Executive Secretariat Staff Office of the Secretary, Department of State
Mr. George Rowland	Executive Secretariat Staff Office of the Secretary, Department of State

URUGUAY

Address: Permanent Mission of Uruguay to the United Nations
747 Third Avenue, 21st Floor, New York, N.Y. 10017
Telephone: (212) 752-8240

Sra. María del Luján Flores	Ministra Representante Permanente Adjunta ante las Naciones Unidas
Sr. Gustavo Alvarez	Segundo Secretario Misión Permanente
Sra. Imelda Smolcic	Tercera Secretaria Misión Permanente

UZBEKISTAN

Address: Permanent Mission of the Republic of Uzbekistan to the United Nations
866 United Nations Plaza, Suite 326, New York, N.Y. 10017
Telephone: (212) 486-7570

Mr. Fatik G. Teshabaev	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Alisher Vohidov	Counsellor Permanent Mission

VENEZUELA

Address: Permanent Mission of Venezuela to the United Nations
335 East 46th Street, New York, N.Y. 10017
Telephone: (212) 557-2055

Sr. Adolfo R. Taylhardat	Embajador
Sr. Carlos A. Bivero	Embajador Representante Permanente Adjunto ante las Naciones Unidas
Sr. Víctor Manzanares-Veloz	Segundo Secretario Misión Permanente

VIET NAM

Address: Permanent Mission of the Socialist Republic of Viet Nam
to the United Nations
20 Waterside Plaza (Lobby), New York, N.Y. 10010
Telephone: (212) 685-8001

Mr. Ngo Quang Xuan	Ambassador, Chargé d'affaires a.i. Permanent Mission
Mr. Le Luong Minh	Deputy Director, Department of International Organizations, Ministry of Foreign Affairs
Mrs. Hoang Thi Cu	First Secretary Permanent Mission
Mr. Nguyen Duy Chien	Second Secretary Permanent Mission

YEMEN

Address: Permanent Mission of the Republic of Yemen to the United Nations
866 United Nations Plaza, Room 435, New York, N.Y. 10017
Telephone: (212) 355-1730

Mr. Abdalla Saleh Al-Ashtal	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations

Mr. Hamed M. Obadi	Ambassador Deputy Permanent Representative to the United Nations
Ms. Noria Abdullah Al-Hamami	First Secretary Permanent Mission
Mr. Abdullah Mohamed Alsaidi	First Secretary Permanent Mission
Mr. Hamood M. Humran	First Secretary Permanent Mission
Mr. Abdulla A. Al-Shammam	First Secretary Permanent Mission
Mr. Abdulaziz Ahmed Kaid	First Secretary Permanent Mission

ZAIRE

Address: Permanent Mission of the Republic of Zaire to the United Nations
2 Henry Avenue, North Caldwell, N.J. 07006
Telephone: (201) 812-1636

M. Lukabu Khabouji N'Zaji	Ministre plénipotentiaire Représentant permanent adjoint auprès des Nations Unies Chargé d'affaires a.i.
M. Ileka Atoki	Deuxième Conseiller Mission permanente

ZAMBIA

Address: Permanent Mission of the Republic of Zambia to the United Nations
237 East 52nd Street, New York, N.Y. 10022
Telephone: (212) 758-1110

Mr. Andrew Elias Kashita	Acting Minister for Foreign Affairs Head of Delegation

Mr. Peter Lesa Kasanda	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Humphrey B. Kunda	Deputy Permanent Secretary Ministry of Foreign Affairs
Mr. Mwenya Lwatula	Counsellor Permanent Mission
Mrs. Mwila Grace Banda Chigaga	Counsellor Permanent Mission
Mr. Darius Steinbeck Bubala	First Secretary Permanent Mission
Mr. Bruce Namakando	First Secretary Permanent Mission
Mrs. Encyla T. Sinjela	Legal Adviser Permanent Mission

ZIMBABWE

Address: Permanent Mission of the Republic of Zimbabwe to the United Nations
128 East 56th Street, New York, N.Y. 10022
Telephone: (212) 980-9511

Mr. T. J. B. Jokonya	Ambassador Permanent Representative to the United Nations Office at Geneva Head of Delegation
Mr. Ngoni Francis Sengwe	Minister Deputy Permanent Representative to the United Nations Chargé d'affaires a.i.
Mr. Lovemore Mazemo	Counsellor Permanent Mission
Mr. Winston T. Msengezi	Counsellor Permanent Mission

Miss Charity P. Nzenza	Counsellor Permanent Mission
Mr. Cavins N. Mugaviri	Counsellor Permanent Mission
Mr. Pearson T. Chigiji	First Secretary Permanent Mission
Miss Esther Chibanda	First Secretary Permanent Mission
Mr. J. Muzuwa	Desk Officer Ministry of Foreign Affairs

II. OBSERVERS

A

ANGOLA

Address: Permanent Mission of the Republic of Angola to the United Nations
125 East 73rd Street, New York, N.Y. 10021
Telephone: (212) 861-5656, 5787

Mr. Luis Galiano	Chief of the Department of the United Nations Ministry of External Relations
Mr. Mauricio Bernardo Borges	Counsellor Permanent Mission

BRAZIL

Address: Permanent Mission of Brazil to the United Nations
747 Third Avenue, 9th Floor, New York, N.Y. 10017
Telephone: (212) 832-6868

Mr. José Eduardo M. Felicio	Minister Permanent Mission Head of Delegation
Mr. Edmundo Sussumu Fujita	Counsellor Ministry of External Relations
Mr. Achilles Zaluar	Third Secretary Permanent Mission

CHILE

Address: Permanent Mission of Chile to the United Nations
809 United Nations Plaza, 4th Floor, New York, N.Y. 10017
Telephone: (212) 686-7547

Sr. Juan Larraín	Embajador Representante Permanente Adjunto ante las Naciones Unidas Jefe de Delegación

Sr. Isauro Torres	Jefe del Departamento de Desarme Ministerio de Relaciones Exteriores de Chile
Sr. Rodrigo Espinosa	Segundo Secretario Misión Permanente

CUBA

Address: Permanent Mission of Cuba to the United Nations
315 Lexington Avenue and 38th Street, New York, N.Y. 10016
Telephone: (212) 689-7215

Sr. Bruno E. Rodríguez Parrilla	Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas Jefe de Delegación
Sra. Yamira Cueto Milián	Consejera Misión Permanente
Sr. Humberto Rivero Rosario	Consejero Misión Permanente

DJIBOUTI

Address: Permanent Mission of the Republic of Djibouti to the United Nations
866 United Nations Plaza, Suite 4011, New York, N.Y. 10017
Telephone: (212) 753-3163

Mr. M. Roble Olhaye	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Dysane Abdallah Dorani	First Counsellor Permanent Mission
Mr. Badri Ali Bogoreh	Second Counsellor Permanent Mission

ISRAEL

Address: Permanent Mission of Israel to the United Nations
800 Second Avenue, New York, N.Y. 10017
Telephone: (212) 499-5300

Mr. Yehiel Yativ	Ambassador Extraordinary and Plenipotentiary Permanent Mission
Mr. Aaron Jacob	Minister Counsellor Permanent Mission

OMAN

Address: Permanent Mission of the Sultanate of Oman to the United Nations
866 United Nations Plaza, Suite 540, New York, N.Y. 10017
Telephone: (212) 355-3505

Mr. Salim Bin Mohammed Al-Khussaiby	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Mohammed A. Salim Al-Sameen	First Secretary Permanent Mission
Mr. Salim Hamad Saif Al-Battashi	First Secretary Permanent Mission
Mr. Mohamed Al-Hassan	First Secretary Permanent Mission
Mr. Said Nasser Mansour Al-Harthy	First Secretary Permanent Mission
Mr. Moosa Hamdan Al-Taee	First Secretary Permanent Mission
Mr. Said Ali Nasir Al-Amri	Second Secretary Permanent Mission

PAKISTAN

Address: Permanent Mission of Pakistan to the United Nations
Pakistan House
8 East 65th Street, New York, N.Y. 10021
Telephone: (212) 879-8600

Mr. Ahmad Kamal	Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations
Mr. Sher Afgan Khan	Minister Deputy Permanent Representative to the United Nations
Mr. Navid Hanif	Second Secretary Permanent Mission

UNITED ARAB EMIRATES

Address: Permanent Mission of the United Arab Emirates to the United Nations
747 Third Avenue, 36th Floor, New York, N.Y. 10017
Telephone: (212) 371-0480

Mr. Ali Thani Al-Suwaidi	Minister Plenipotentiary Deputy Permanent Representative to the United Nations
Mr. Omar Saif Ghobash	Third Secretary Permanent Mission

VANUATU

Address Permanent Mission of the Republic of Vanuatu to the United Nations
866 United Nations Plaza, 3rd Floor (Room 308)
New York, N.Y 10017
Telephone: (212) 593-0144

M. Jean Ravou-Akii	Ambassadeur extraordinaire et plénipotentiaire Représentant permanent auprès des Nations Unies Chef de délégation

B

PALESTINE

Address:	Permanent Observer Mission of Palestine to the United Nations 115 East 65th Street, New York, N.Y. 10021
Telephone:	(212) 288-8500

Mr. M. Nasser Al-Kidwa	Permanent Observer to the United Nations
Mr. Muin Shreim	Counsellor Permanent Observer Mission

III. UNITED NATIONS AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

UNITED NATIONS

Mr. Marrack Goulding	Under-Secretary-General for Political Affairs
Mr. Abdelkader Bensmail	Deputy Secretary-General of the Conference on Disarmament

INTERNATIONAL ATOMIC ENERGY AGENCY

Address: International Atomic Energy Agency Liaison Office with the United Nations
United Nations, DC1-1155, New York, N.Y. 10017
Telephone: (212) 963-6010

Mr. Hans Blix	Director General
Mr. Bruno Pellaud	Deputy Director General Department of Safeguards
Mr. David B. Waller	Deputy Director General Department of Administration
Mr. Mohamed El Baradei	Assitant Director General for External Relations
Mr. Berhanykun Andemicael	Representative of the Director General of the Agency to the United Nations
Ms. Merle Opelz	Head, IAEA Office at Geneva
Ms. Jan Priest	Head, Safeguards and Non-Proliferation Policy Section, External Relations Division
Ms. Laura Rockwood	Legal Officer Legal Division
Mr. Vilmos Cserveny	Policy Officer External Relations Division

Ms. Marlene O'Dell	Public Relations Officer IAEA Office at the United Nations
Mr. Philippe Hamel	Policy Officer External Relations Division

IV. OBSERVER AGENCIES

AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA (OPANAL)

Address: Temistocles 78, Polanco 11560, México D.F.

Sr. Enrique Román-Morey	Embajador Secretario General del OPANAL

EUROPEAN COMMUNITY

Address: Delegation of the European Commission to the United Nations
3 Dag Hammarskjöld Plaza, 12th Floor
305 East 47th Street, New York, N.Y. 10017
Telephone: (212) 371-3804

Mr. Ángel Viñas	Ambassador Head of the delegation of the European Commission to the United Nations
Mr. Fabrizio Caccia Dominioni	Minister Counsellor
Mr. Roger Busby	Counsellor
Mr. Giancario Chevallard	Counsellor
Mr. Giuseppe Tonzig	Counsellor
Mr. Brian McDonald	Counsellor
Ms. Muriel Guin	Adviser
Mr. Allan Maxwell	Adviser
Mr. Bram Brands	Adviser

INTERNATIONAL COMMITTEE OF THE RED CROSS

Address: Delegation of the International Committee of the Red Cross
to the United Nations
801 Second Avenue, 18th Floor, New York, N.Y. 10017
Telephone: (212) 599-6021

Mr. Peter Küng	Head of Delegation
Mrs. Ariane Sand Trigo	Attaché
Mrs. Chahida Ousseimi	Attaché

LEAGUE OF ARAB STATES

Address: Office of the Permanent Observer for the League of Arab States
to the United Nations
747 Third Avenue, 35th Floor, New York, N.Y. 10017
Telephone (212) 838-8700

Mr. Mahmoud Aboul-Nasr	Ambassador Extraordinary and Plenipotentiary Permanent Observer to the United Nations Head of Delegation
Mr. Ali Mohamed Ahmed Al-Salafi	First Secretary Permanent Mission
Mr. Mohamed Fahmy	Adviser
Mr. Mohamed Morsi	Adviser

NORTH ATLANTIC ASSEMBLY

Address: Place du Petit Sablon 3, 1000 Bruxelles, Belgium

Mr. Peter Corterier	Secretary General
Mr. David Hobbs	Director, Scientific and Technical Committee
Mr. Lothar Ibrügger	Chairman Sub-committee on the Proliferation of Military Technology

Mr. Randy Willoughby	**Research Fellow**

ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT NUCLEAR ENERGY AGENCY

Address: **Le Seine St. Germain**
12 Boulevard des Iles, 92130 Issy-les-Moulineaux, France
Telephone: **(33-1) 45 24 1002**

Mr. Sam Thompson

ORGANIZATION OF AFRICAN UNITY

Address: **Office of the Pemanent Observer for the Organization of African Unity to the United Nations**
346 East 50th Street, New York, N.Y. 10022
Telephone: (212) 319-5490

Mr. Ibrahim Sy	**Ambassador** **Permanent Observer to the United Nations**

ORGANIZATION OF THE ISLAMIC CONFERENCE

Address: **Office of the Permanent Observer for the Organization of the Islamic Conference to the United Nations**
130 East 40th Street, 5th Floor, New York, N.Y. 10016
Telephone: (212) 883-0140

Mr. A. Engin Ansay	**Ambassador** **Permanent Observer to the United Nations**
Mr. Mohammad Peyrovi	**Ambassador** **Deputy Permanent Observer to the United Nations**
Mr. S. Shahid Hussain	**Senior Adviser**

SOUTH PACIFIC FORUM

Address:	GPO Box 856 Suva, Fiji
Mr. Ieremia T. Tabai	Secretary-General Forum Secretariat

V. RESEARCH INSTITUTES AND NON-GOVERNMENTAL ORGANIZATIONS

ACRONYM Consortium
P.O. Box 176, 1211 Geneva 20, Switzerland

Ms. Rebecca Johnson

American Friends Service Committee
15 Rutherford Place, New York, N.Y. 10003

Ms. Cheshire Frager

American Nuclear Society
370 L'Enfant Promenade, SW, Tenth Floor, Washington, D.C. 20024

Ambassador Richard T. Kennedy
Mr. Walter Y. Kato
Mr. Noel C. Knight

Analytic Sciences Corporation
1101 Wilson Boulevard, Suite 1500, Arlington, VA 22209

Mr. Jonathan Morstein

Aotearoa-New Zealand Foundation for Peace Studies

Ms. Katie Dewes

ARC•PEACE
c/o Thiberg, School of Architecture, Royal Institute of Technology
S-100 44 Stockholm, Sweden

Mr. James D. Morgan
Ms. Jane C. McGroarty

Arms Control Association
1726 M Street, NW, Suite 201, Washington, D.C. 20036

Mr. Charles N. Van Doren
Mr. Evan Medieros

Austin College

Ms. Julia Constandache
Ms. Eri Shimizu
Ms. Pia Snyjder
Ms. Mami Takanarita

Australian National University
Peace Research Centre

Mr. Richard Leaver

Business Executives for National Security
1615 L Street, N.W., Suite 330, Washington, D.C. 20036

Mr. Matt McCandless
Ms. Ioanna M. Iliopulos

British American Security Information Council
1900 L Street, NW, Suite 401, Washington, D.C. 20036

Mr. Dan Plesch
Ms. Nicki Calvert
Mr. Stephen Young
Mr. Otfried Nassauer
Mr. Martin Butcher

Brown University
Department of Political Science, Box 1844, Providence, Rhode Island 02912

Mr. Matthew Woods

Campaign: Making 1995 A Turning Point Toward A Nuclear Free World
PCDS International office, 3-3-1 Minowa-cho, Kohoku-ku
Yokohama, 223 Japan

Mr. Takashi Kikuchi

Campaign for the Non-Proliferation Treaty
21 Dupont Circle, NW, Washington, D.C. 20036

Mr. Joseph Cirincione
Ms. Eve Cohen
Mr. Michael Wilkinson

Campaign for Nuclear Disarmament
162 Holloway Road, London N7 8DQ, United Kingdom

Ms. Janet Bloomfield
Mr. Nigel Chamberlain
Ms. Ilana Cravitz

Campaign for Nuclear Disarmament New Zealand
8 Braithwaite Street, Wellington, 6005, New Zealand

Mr. Erich Geiringer

Canadian Peace Alliance

Ms. Marion Frank
Ms. Judith Berlyn

Canadian Voice of Women for Peace
746 Bathurst Street, Toronto, Ontario M5S 2R4

Ms. Janis Alton

Carnegie Endowment for International Peace
2400 N Street, N.W., Washington, D.C. 20037

Mr. Leonard Spector
Ms. Virginia Foran
Mr. Andrei I. Zobov
Mr. Marcel Lettre
Mr. Mark McDonough
Mr. Evan Medeiros

Center for Defense Information
1500 Massachusetts Avenue, NW, Washington, D.C. 20005

Ms. Kathryn Schultz

Center for International Studies
Massachusetts Institute of Technology
Building E38, 6th Floor, 292 Main Street, Cambridge, MA 02139

Mr. Tatsujiro Suzuki

Center for Science and International Affairs
Harvard University
John F. Kennedy School of Government
79 John F. Kennedy Street, Cambridge, Massachusetts 02138

Mr. Henning M. Riecke

Center for War, Peace and the News Media
New York University
10 Washington Place, New York, N.Y. 10003

Mr. Robert Leavitt
Mr. Mark Danser Hibbs

Central Research Institute of Electric Power Industry
1-6-1 Ohtemachi, Chiyoda-ku, Tokyo 100, Japan

Mr. Sakae Aoyagi

Centre for International Peacebuilding
9 West Street, Chipping Norton, Oxon OX7 5LH, United Kingdom

Ms. Caroline Bridgman-Rees

Centre for Political Studies in Russia (PIR Center)
16/2 Tverskaya Street #201, Moscow News Building, Moscow

Ambassador Roland Timerbaev
Mr. Vladimir A. Orlov

Centro de Investigación para la Paz
C/. Alcala, 117 - 6º dcha., 28009 Madrid, Spain

Prof. Vicente Garrido Rebolledo

Christian Peace Conference
United Nations Office
777 United Nations Plaza, New York, N.Y. 10017

Dr. Philip Oke

CIS Nonproliferation Project
Monterey Institute of International Studies
425 Van Buren Street, Monterey, CA 93940

Mr. Vyachaslau Paznyak
Mr. Vladimir Orlov
Mr. Sergei Galaka
Mr. Dastan Eleukenov
Ms. Kseniya Yershova
Ms. Elizabeth Stevens
Ms. Zhanna Bakanova

Citizens' Assembly to Stop the Spread of Weapons

Ms. Helen Caldicott
Bishop Thomas Gummbleton
Rev. Robert M. Brown
Rev. G.W. Webber
Rev. Forrest Church

Citizens' Nuclear Information Center
1-59-14-302 Higashi-nakano, Nakano-ku, Tokyo 164, Japan

Ms. Yurika Ayukawa

Citizens for Total Energy
P.O. Box 563, Sunol, CA 94586

Mr. Lynn R. Wallis
Ms. Helen Hubbard
Mrs. Diane Hughes

Communications Coordination Committee
301 East 45th Street, Suite 20B, New York, N.Y. 10017

Mr. Wilfrid Grey

Coordinating Centre among Arab Peace Organizations
16 Mohamed Shafik Street, 12411 Giza, Egypt

Mr. Bahig Nassar

CTB Clearinghouse
1819 H Street, NW, Suite 660, Washington, D.C. 20006

Mr. Bruce Hall

Defence and Arms Control Studies Program
Massachusetts Institute of Technology
Building E38-600, 292 Main Street, Cambridge, Massachusetts 02139

Mr. Avner Cohen

Economists Allied for Arms Reduction
25 West 45th Street, New York, N.Y. 10036

Mr. Benjamin Baker
Ms. Frances Goulart
Ms. Norma Herman
Mr. Rick Huber
Ms. Peggy Kerry
Ms. Gloria Lawrence
Ms. Lenore Newman
Ms. Alice Slater
Mr. Theodore Taylor
Ms. Dorrie Weiss
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Ms. Mildred Pollner

Fast for the Abolition of Nuclear Weapons

Bishop Edmund Browning
Bishop Dale White
Ms. Sara Seeds
Ms. Janis Tilton

FORATOM
rue d'Egmont 15, bp 4 - B, 1050 Brussels, Belgium

Mr. Jonathan A.G. Heller

Foreign Policy Association
729 Seventh Avenue, New York, N.Y. 10019

Ms. Nancy Hoepli-Phalon

Forum for Strategic and Security Studies
32 Meena Bagh, New Delhi 110 001, India

Vice Admiral K.K. Nayyar
Brigadier Vijai K. Nair

Foundation for Research on International Environment, National Development and Security
88, Race Course Scheme, Race Course Road, Street 3
Rawalpindi Cantt., Pakistan

Mr. Fasahat H. Syed
Mr. S.H. (Nayyar) Zaidi
Mrs. Zehra Syed
Ms. Shaheen Zaidi

Franciscans International
323 East 47th Street, New York, N.Y. 10017

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General Board of Global Ministries of the United Methodist Church
777 United Nations Plaza, New York, N.Y. 10017-3585

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Ms. Joan Chapin
Ms. Melba Smith
Ms. Karen Tso
Bishop Dale White

Geneva International Peace Research Institute
34, boulevard du Pont-d'Arve, CH-1205 Geneva, Switzerland

Mr. Jozef Goldblat

Gensuikin
Japan

Mr. Masafumi Takubo
Mr. Nagahisa Wada

George Mason University
The Institute for Public Policy
Fairfax, VA 22030

Mr. Wayne Perry
Ms. Jennifer Hunt

Global Education Associates
475 Riverside Drive, New York, N.Y. 10115

Mr. Richard Jordan

Gran Fraternidad Universal
Apartado Postal 3987, Caracas 1010-A, Venezuela

Mr. Luis Jose Hernandez
Mr. Luis Orlando Rodriguez

Gray Panthers
15 West 65th Street, New York, N.Y. 10023

Ms. Leonore I. Fine
Mr. Jim Hechtman
Ms. Mollie Hechtman

Greenpeace International
Keizersgracht 176, 1016 DW, Amsterdam, The Netherlands

Mr. Simon Carroll
Mr. Shaun Burnie
Mr. Juan Carlos Villalongas
Mr. Hans Kristensen
Mr. Chris Zimmer
Ms. Stephanie Mills
Mr. Ruy Goes
Ms. Karen Richardson
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Hebrew University of Jerusalem

Mr. Shlomo Aronson

Henry L. Stimson Center
Washington, D.C.

Mr. Michael Krepon

IDDS
475 Mass Avenue, Cambridge, MA 02139

Ms. Randall Forsberg

IFIAS
Stralsunder Weg 50, 53119 Bonn, Germany

Mr. Gerd Greune
Ms. Susanne Drake
Ms. Helen Golombek

Institute for Defence Studies and Analyses
Sapru House, Barakhamba Road, New Delhi - 110001, India

Mr. Jasjit Singh
Dr. Savita Pande

Institute for Defense and Disarmament Studies

Ms. Ann Hallan Lakhdhir

Institute for Energy and Environmental Research
6935 Laurel Avenue, Takoma Park, MD 20912

Dr. Arjun Makhijani
Ms. Tessie Topol
Mr. Noah Sachs

Institute for Science and International Security
236 Massachusetts Avenue, NE, Suite 500, Washington, D.C. 20002

Mr. Tom Zamora Collina

International Association of Lawyers Against Nuclear Arms

Ms. Renata Reupke

International Association for Volunteer Effort
42 Flintlock Road, P.O. Box 682, Madison, Connecticut 06443

Mr. Frank W. Colton
Ms. Nancy E.W. Colton

International Fellowship of Reconciliation
Spoorstraat 38, 1815 BK Alkmaar, The Netherlands

Mr. Titus Podea

International Mahavir Jain Mission
777 United Nations Plaza, New York, N.Y. 10017

P.N. Jain (Bawa)

International Network of Engineers and Scientists Against Proliferation
c/o Institut für Kernphysik, Schlossgartenstrasse 9
D-64289 Darmstadt, Germany

Mr. Rainer Braun
Prof. Kumao Kaneko
Mr. Martin Kalinowski
Mr. Wolfgang Liebert

Mr. Zia Mian
Professor Kathryn Nixdorff
Professor Joseph Rotblat
Mr. Jürgen Scheffran
Mr. Simon Davies
Mr. Bahig Nassar
Mr. Sönke Richardson
Mr. Ivo Sarges
Ms. Audrey Mothupi
Mr. Luis Masperi

International Nuclear Non-Proliferation Alliance
Three Lafayette Centre, Suite 202, 1155 21st Street NW, Washington, D.C. 20036

Ms. Andrea N. Dravo
Ambassador Richard Kennedy
Ms. Sophie Ras
Mr. Bill Gallagher
Mr. Michael McMurphy
Mr. Alan Hanson
Mr. Ellsworth Gerrels
Ms. Elizabeth Hughes
Mr. Chet Ehrman

International Peace Bureau
Rue de Zürich 41, CH-1201 Geneva, Switzerland

Mr. Colin Archer
Ms. Cora Weiss
Ms. Hilda Lini

International Peace Research Institute, Oslo
Fuglehauggt 11, N-0280 Oslo, Norway

Mr. Magne Barth
Mr. Ole Berthelsen

International Physicians for the Prevention of Nuclear War
126 Rogers Street, Cambridge, MA 02142

Dr. Anton Aggernaes
Mr. Michael Christ
Ms. Solange Fernex
Mr. Eric Geiringer
Dr. Sergei Kolesnikov
Mr. Lars Lindskog
Dr. R.S. McCoy
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Mr. Thomas Tolvenstam	Mr. David Olsson

International Synergy Institute
United Nations Liaison Office
109 West 28th Street, New York, N.Y. 10001

Ms. Pamela Kraft

International Youth and Student Movement for the United Nations
16, avenue Jean-Trembley, Geneva, Switzerland

Mr. Jan Lonn

Jesse Lee Memorial United Methodist Church
207 Main Street, Ridgefield, CT 06877

Rev. R. Randy Day

Korean Federation for Environmental Movement
Shinmuno Iga 31, Chongno-ku, Seoul, Republic of Korea

Mr. Ye Yong Choi

Lancaster University
Centre for Defence and International Security Studies
Cartmel College
Lancaster LA1 4YL, United Kingdom

Mr. Olu Adeniji
Mr. Robert C. Gray
Mr. Humphry Crum Ewing

Lawyers Alliance for World Security
1601 Connecticut Avenue, NW, Washington, D.C. 20009

Mr. John Parachini
Mr. Adam Scheinman
Mr. Jonathan Granoff
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Mr. Ed Aguilar
Ms. Suzanne Pearce

Lawyers' Committee on Nuclear Policy
666 Broadway, Room 625, New York, N.Y. 10012

Mr. Alyn Ware

Los Alamos Study Group
212 East Marcy Street, Santa Fe, New Mexico 87501

Ms. Mary Riseley

Manhattan II Project

Mr. Daniel Ellsberg
Ms. Patricia Ellsberg

MEDACT

Dr. Pat Craig
Dr. Kevin Craig

Monterey Institute of International Studies
425 Van Buren Street, Monterey, CA 93940

Ambassador Roland Timerbaev
Ms. Susan B. Welsh
Ms. Betsy Perabo

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Le Mouvement de la Paix
139 Bd. Victor Hugo
93400 Saint-Ouen
Paris
France

Ms. Lysiane Alezard
Mr. Olivier Borgna
Mr. Daniel Durand

National Depleted Uranium Citizens' Network

Ms. Dione H. Craig
Ms. Judith Scotnicke

National Peace Council
88 Islington High Street, London N1, United Kingdom

Mrs. Sheila Oakes

Nei til Atomvåpen
Youngsgt, 7, Oslo 1, Norway

Mr. Helge Hagelund
Mr. Terje Stokstad

NGO Committee on Disarmament
777 United Nations Plaza, 3-B, New York, N.Y. 10017

Mr. William Epstein
Ms. Jessica Merritt
Mr. Roger Smith
Ms. Humaira Saleem
Ms. Nasra El Gawly
Ms. Sami Fournier
Mr. Premal Shah

Nonproliferation Association of Moscow

Ambassador Roland Timerbaev

Norwegian Peace Alliance
N. Juels g. 28 A, 0272 Oslo, Norway

Mr. Fredrik S. Heffermehl

NRDC
1350 New York Avenue, Washington, D.C. 20005

Mr. Christoper Paine

Nuclear Age Peace Foundation
1187 Coast Village Road, Suite 123, Santa Barbara, CA 93108-2794

Mr. David Krieger
Ms. Pamela Meidell
Mr. Bastiaan Bruijne
Mr. Vernon Nichols
Ms. Miyoko Matsubara
Mr. Daniel Ellsberg
Ms. Patricia Ellsberg
Mr. Paul F. Walker
Ms. Edie Hartshorne

Nuclear Control Institute
1000 Connecticut Avenue, NW, Suite 804, Washington, D.C. 20036

Mr. Paul Leventhal
Mr. Daniel Horner

Nuclear Energy Institute
1776 I Street, NW, Suite 400, Washington D.C. 20006

Ms. Cheryl A. Moss
Ambassador Richard T. Kennedy (ret.)
Mr. Ellsworth Gerrels
Ms. Anita Blumenthal
Mr. Charles Van Doren

Nuclear Society International, Moscow
Secretariate NS, RRC Kurchatov Institute
Kurchatov Square, 123182, Moscow, Russian Federation

Mr. Andrei I. Zobov

Okayama University

Professor Masahiko Asada

Osaka University
Osaka School of International Public Policy

Professor Mitsuru Kurosawa

Oxford Research Group
51, Plantation Road, Oxford

Mr. Frank Barnaby

Pacific Campaign for Disarmament and Security

Mr. Hiro Umebayashi

Parliamentarians for Global Action
211 East 43rd Street, Suite 1604, New York, N.Y. 10017

Mr. Olafur Grimsson
Mr. Aaron Tovish
Ms. Annabel Hertz
Mr. Ike Gonzalez
Ms. Jean Krasno
Mr. Paul Nuti
Ms. Ayaka Suzuki

Pax Christi International
Oude Graanmarkt 21, B-1000 Brussells, Belgium

Ms. Joan Comiskey
Mr. Vincent P. Comiskey
Sister Mary Evelyn Jegen, SND
Sister Edith Ryan, SND
Mr. Dave Robinson
Mr. Ron Pagnucco
Mr. Johannes Van de Ven
Ms. Barbara Kramer
Ms. Maria Gorius

Peace Action
1819 H Street, NW, Suite 660, Washington, D.C. 20006-3603

Ms. Caryl Beal
Ms. Kristine Cheatum
Ms. Lynn Cheatum
Mr. Julian Eligator
Ms. Janet Fennell
Ms. Solange Fernex
Ms. Anita Fine
Mr. Daniel Fine
Ms. Jackie Hudson
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Ms. Sarah Warren
Ms. Cora Weiss
Mr. William Sloane Coffin
Ms. Randy Coffin
Ms. Maj Britt Theorin
Mr. John Miller

Peace Research Institute Frankfurt
Leimenrode 29, 60322 Frankfurt, Germany

Mr. David A.V. Fischer
Mr. Alexander Kelle
Mr. Nina Thannenwald

Physicians for Social Responsibility
1101 Fourteenth Street, NW, Suite 700, Washington, D.C. 20005

Dr. Robert Gould
Dr. Daniel Kerlinsky
Dr. Ephraim Kahn
Ms. Stephanie Fraser
Mr. John Quimby

Mr. David Rush

Ploughshares Fund
Fort Mason, San Francisco, CA 94123

Ms. Sally Lilienthal
Ms. Karen Harris

Plutonium Free Future
P.O. Box 2589, Berkeley, CA 94702

Ms. Mayumi Oda
Ms. Claire Greensfelder
Ms. Losena Salabula
Ms. Angela Stefania

Power Reactor and Nuclear Fuel Development Corporation
1-9-13, Akasaka, Minato-ku, Tokyo, Japan

Mr. K. Ikeda
Mr. M. Senzaki
Mr. Y. Himeno
Mr. T. Maruyama
Mr. S. Kikuchi
Mr. Y. Nishihiro
Mr. K. Hirao

Presbyterian UN Office
777 United Nations Plaza, New York, N.Y. 10017

Mr. Robert Smylie

Professionals' Network for Social Responsibility, Inc.
25 West 45th Street, Suite 1401, New York, N.Y. 10036

Ms. Babette Linfield

Programme for Promoting Nuclear Non-Proliferation
Mountbatten Centre for International Studies
Department of Politics, University of Southampton
Southampton SO9 5NH, United Kingdom

Ambassador Olu Adeniji
Ms. Emily Bailey
Mr. David Fischer
Mr. Jozef Goldblat
Mr. Darryl Howlett
Ambassador James F. Leonard
Ms. Abby Sanders
Mr. John Simpson
Ambassador Roland Timerbaev

Promoting Enduring Peace

Ms. Judi Frieman
Mr. Lou Friedman

The Prospect Hill Foundation
420 Lexington Avenue, Suite 3020, New York, N.Y. 10170

Ms. Constance Eiseman

Public Education Center, Inc.
1730 Rhode Island Avenue, NW, Suite 1102, Washington, D.C. 20036

Mr. Wayne T. Jaquith

Pugwash Conferences on Science and World Affairs
Flat A, 63A Great Russell Street, London WC1B 3BJ, United Kingdom

Prof. Joseph Rotblat

Quaker United Nations Office
777 United Nations Plaza, New York, N.Y. 10017

Mr. David Atwood
Mr. Greg Coleridge
Mr. David Gracie
Mr. David Jackman
Mr. Michael Simmons

Mr. Timothy Snyder
Ms. Melinda M. Mangin
Ms. Edith Neece

Rissho Kosei-kai
2-11-1 Wada, Suginami-ku, Tokyo 166, Japan

Mr. Masamichi Kamiya

Rockefeller Brothers Fund
1290 Avenue of the Americas, New York, N.Y. 10104-0233

Ms. Hilary K. Palmer

School Sisters of Notre Dame
235 Glen Street, Glen Cove, N.Y. 11542

Sister Ethel Howley, SND

Scientists for Global Responsibility
P.O. Box 370, Lane Cove NSW 2066, Australia

Professor Alan Runciman

Scipio Knight International Inc.
332 Dupont Street, Toronto, Ontario M5R 1V9, Canada

Mr. S. John Stewart
Mr. Samuel Mangiamele

Sociedad Mexicana de fisica
Apartado Postal 70, 348 Delegación Coyoacán, 04511 Mexico, DF

Mr. José Luis Morán-López
Ms. María Luisa Marquina-Fábrega
Ms. Rosa Luz Alegría
Mr. Marco Antonio Martínez-Negrete
Mr. Alipio Calles Martinez

Société française d'énergie nucléaire
69-73, rue Dutot, 75015 Paris, France

Mr. Denis Charuau

State University of New York at Stony Brook
Center for Science, Mathematics and Technology Education
Stony Brook, N.Y. 11794-3733

Prof. Lester G. Paldy
Mr. Charles Hagen
Mr. Jonathan Hanke

Sustainable Development Policy Institute
P.O. Box 2342, Islamabad, Pakistan

Mr. Zia Mian

Swedish Peace Council

Ms. Eva Hägerstrand

Technology Institute
117 El Corto, Los Alamos, New Mexico 87544

Mr. Donald R. Westervelt

Third Millenium Foundation
P.O. Box 1105, Auburn, WA 98071-1105

Mr. Donald C. Whitmore

Tri-Valley CAREs
5720 East Avenue, #116, Livermore, CA 94550

Ms. Marylia Kelley

UNIDIR
c/o University of Sussex
Falmer, Brighton BN1 9QN, United Kingdom

Mr. Helen Leigh-Phippard

Union of Concerned Scientists
1616 P Street NW, Suite 310, Washington, D.C. 20036

Mr. Jonathan Dean
Prof. John Phelan

Unitarian Universalist UN Office
777 United Nations Plaza, 7th Floor, New York, N.Y. 10017

Mr. Richard Brown
Ms. Siu Wing Chang
Ms. Seneca Storm
Mr. Alan Crowley
Mr. Ed Morganstern

United Methodist Church General Board of Church and Society
777 United Nations Plaza, New York, N.Y. 10017

Mr. L. Robert McClean
Mr. Bruce Unger

University of San Diego
Department of Political Science, San Diego, CA 92110

Mr. Randy Willoughby

University of Texas at Dallas
Graduate Program in Political Economy
P.O. Box 830688, Richardson, Texas 75083-0688

Ms. Marie Isabelle Chevrier

University of Wales
Department of International Politics
'Gwynfan'
Park Avenue, Aberystwyth, Dyfed SY23 1PB, United Kingdom

Mr. Simon J. Davies

Uranium Institute
Bowater House, Twelfth Floor, 68 Knightsbridge, London SW1X 7LT, United Kingdom

Mr. Gerald Clark

U.S. Peace Council (Peninsula Chapter)
541 Menlo Oaks Drive, Menlo Park, CA 94025

Mr. Premal Shah

Verification Technology Information Centre
Carrara House, 20 Embankment Place, London WC2N 6NN, United Kingdom

Dr. Patricia M. Lewis
Ms. Tiffany Edwards
Mr. Richard Guthrie
Ms. Suzanna van Moyland
Ms. Sara Scully

Veterans against Nuclear Arms
H.Q. Site 4, Box 3B8, R.R.#1, Tantallon, Nova Scotia, Canada B0J 3J0

Commodore (Ret'd.) R.W. Cocks
Mr. Terry Gardner

Villanova University

Ms. Colleen M. Driscoll

Voice of Women, Canada
2273 Hampton Avenue, Montreal, Quebec H4A 2K5, Canada

Ms. Barbara Seifred
Ms. Lillian Rosen

War and Peace Foundation
32 Union Square East, New York, N.Y. 10003

Mr. Karl Geiringer

Western States Legal Foundation
1110 Broadway, Suite 500, Oakland, CA 94612

Ms. Jacqueline Cabasso
Mr. John Burroughs
Ms. Patrice Sutton
Mr. Bruce Stedman
Ms. Ellie Dorsey

Women's Action for New Directions
691 Massachusetts Avenue, Arlington, Massachusetts 02174

Ms. Susan Shaer
Ms. Jean Prokopow
Ms. Ann Venuto
Ms. Peggy Kerry
Ms. Sayre Sheldon
Ms. Deborah Walden

Women's Environment and Development Organization
845 Third Avenue, 15th Floor, New York, N. Y. 10022

Ms. Judy Lerner

Women's International League for Peace and Freedom
1, rue de Varembé, C.P. 28
1211 Geneva 20
Switzerland

Ms. Pamela Saffer
Ms. Siu Wing Chang
Ms. Dorothy Brownold

World Conference of Mayors for Peace through Intercity Solidarity
c/o Hiroshima Peace Culture Foundation
1-2 Nakajima-cho, Naka-ku, Hiroshima, 730 Japan

Mr. Minoru Ohmuta
Mr. Hiroshi Kitagawa
Mr. Tatsuya Ito
Ms. Masako London
Ms. Satoko Utsunomiya

World Court Project
United Kingdom

Commodore (Ret'd.) Robert Green
Ms. Elizabeth Daly
Mr. Con Daly
Mr. George Farebrother
Ms. Jean Farebrother
Ms. Coral Hallums
Mr. D.P. Hallums
Ms. Bridget Trump
Ms. Ruth Winbourne
Ms. Lilian Emsley
Ms. Anna Rehin
Mr. George Straight
Ms. Elizabeth Shafer

World Federalist Movement
777 U.N. Plaza, 12th Floor, New York, N.Y. 10017

Mr. William R. Pace
Mr. Rik Panganiban

World League for Freedom and Democracy
100 Woodland Avenue, East Orange, New Jersey 07017

Prof. T.T. Liu
Mr. W. Bruce Potter
Mr. Philip W. Ong

World Safety Organization
P.O. Box 2260-GCS, New York, N.Y. 10017

Mr. Larry T. Gell

World Veterans Federation
17 rue Nicolo, 75116 Paris, France

Mr. Serge Wourgaft